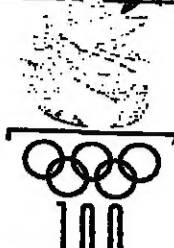


GREAT SUMMER OF SPORT

WIN A TRIP TO THE OLYMPICS IN ATLANTA
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GRAND DESIGNS
Oliver Holt on Formula One after Senna
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TAKING TO THE AIR AGAIN
Flying start to the Eagles' great reunion tour
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HOW I SURVIVED MY STAMMERING
Clare Latimer Letters, PAGE 19

HITLER DEATH PLOT
Day 2: How Britain betrayed the men who fought the Führer
PAGE 17



Hunt for man wielding machete

Attacker stabs seven at infant school picnic

By LIN JENKINS AND DAVID CHARTER

POLICE were last night hunting a crazed man who burst into an infants' school wielding a machete and stabbed four adults and three young children.

A man was dragged from a block of flats near the school in Wolverhampton, but police said later that he had nothing to do with the stabbing and the search for the attacker continued.

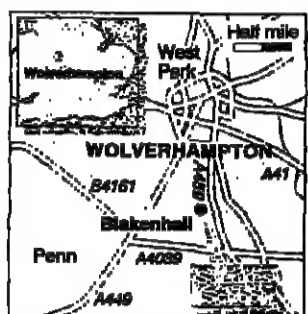
The hunt started after an attack at St Luke's Church of England school, where children in their last fortnight before breaking up for the summer holidays were enjoying a teddy bear's picnic.

Reports from the scene suggested that further injuries were averted by the father of a young girl pupil who chased the knife-wielder from the school. The pupils appear to have been in an outside play area, protected only by a 2 ft picket fence, when the incident occurred.

One of the first people on the scene of the attack was Trevor Ford, from the West Midlands Ambulance Service. He said: "It was very harrowing. On arrival two paramedic crews went into the school and started on children with wounds to their bodies. There was also a teacher who was injured."

"We stabilised the condition of the patients, took them over to New Cross hospital in the ambulance and then went back to the school. There were some deep injuries to arms and legs."

The attacker was only prevented from killing the child-



ren by the bravery of the parents, Bob Jones, Wolverhampton's chair of education, said. "The perpetrator climbed over a fence and a wall to get into the playground. He started attacking the children who tried to run inside."

It was then that a mother was injured as she stood in the doorway of the school, barring the attacker's path into the building. "We believe he was then chased away by a father of a pupil. If it had not been for those parents, this could have been much worse. I am glad no one was killed."

"I cannot praise highly enough the professional attitude of the parents and staff. They have really been very calm. This was an appalling attack, particularly in view of the young age of the children involved." Security was up-to-date after the Dunblane tragedy, Mr Jones believed.

A Wolverhampton Education Authority spokesman confirmed that three children — one aged seven, the others three or four — and four adults — a teacher, a school helper, a parent and a passer-by were injured. Dr Simon

Wallford, of New Cross hospital, said that patients were being treated for flesh wounds consistent with being attacked with a large knife. None of the injuries was believed to be life-threatening.

Before attacking the children the knife man struck at a woman outside the school. A police spokesman said: "He attacked a woman outside the school with the knife and then jumped over a fence and started on the children and teacher playing outside."

Gillian Shephard, the Education and Employment Secretary, said last night: "I am horrified by the reports of this incident. My department will keep in touch with the authorities to hear more of the circumstances."

"My heartfelt sympathies go to all those injured and to their families."

Doug McAvoy, general secretary of the National Union of Teachers, said: "Lessons can always be learnt from appalling incidents like these. The need for police-school liaisons so that prevention can take place is obviously vital. The NUT's sympathies go out to all concerned."

The attack reopened the debate into security at Britain's schools. It came just four months after the Dunblane massacre, in which a woman teacher and 16 pupils were shot by Thomas Hamilton. Last December, Philip Lawrence, a London headmaster, was knifed to death while going to the assistance of a pupil being attacked by a gang of youths.

Ulster tension rises after killing of taxi driver

By NICHOLAS WATT AND AUDREY MAGEE

NORTHERN IRELAND stood last night on the brink of a return to tit-for-tat sectarian violence as loyalists clashed with police on the second day of a standoff between the two sides outside Portadown, Co Armagh, and a Roman Catholic taxi driver was shot dead.

The loyalists stepped up their protests last night when they blocked off the main road to Belfast International Airport at Aldegrove, Co Antrim. The airport handles scores of flights a day between Northern Ireland, the British mainland and Continental Europe.

A Royal Ulster Constabulary spokesman said reports of road blockages throughout Northern Ireland were "coming in hot and heavy". Police also said a crate of petrol bombs had been seized.

Fears that the protest could jeopardise two years of peace in Northern Ireland were fuelled when Michael McGoldrick, 31, a taxi driver was shot dead in a suspected sectarian attack by hardline loyalists in Lurgan. His body was found slumped over the steering wheel of his taxi yesterday morning in a country lane. He had been shot in the back of the head by a gunman who ordered the taxi to pick him up in the centre of Lurgan just after midnight.

Billy Hutchinson, a leading member of the Progressive Unionist Party, the political wing of the Ulster Volunteer Force, said they were not behind the attack. He added that the UVF ceasefire, declared in October 1994, still stood. However, he refused to condemn the murder.

The victim's family were in no doubt that loyalists were responsible for the murder. In an angry statement, the family condemned Unionist leaders

for stirring up loyalists with "fire and brimstone" speeches. The statement was a thinly veiled reference to speeches made on Sunday by Unionist leaders of thousands of Orangemen camped outside a small parish church at Drumcree on the outskirts of Portadown. The Orangemen reiterated yesterday their determination to remain at Drumcree until the Royal Ulster Constabulary reverses its decision to re-route their traditional parade away from



McGoldrick: picked up a fare at midnight

the nationalist Garvaghy Road area of Portadown.

For most of yesterday the Drumcree protest was relatively peaceful. However, police fired plastic bullets at the loyalists yesterday afternoon when a crowd of several hundred tried to prevent Army Engineers from placing concrete blocks across the road outside the church. Police moved the Orangemen up the road towards the church as the soldiers placed the blocks, across the road.

More than 2,000 RUC officers, supported by two battalions of soldiers on standby, Continued on page 2, col 6



Jade Matthews, nine, who was found battered to death on a railway line near her home in Bootle, Merseyside. Her natural father was arrested and questioned yesterday by detectives, who also want to interview three boys. Page 3

Coded Times messages used to trap blackmailer

By STEWART TENDLER
CRIME CORRESPONDENT

A BID to extort £250,000 from food companies by threatening to contaminate their products with germs has been beaten by Scotland Yard.

A Midlands businessman was arrested by police in the Austrian capital Vienna yesterday as he went to check a numbered bank account. Police believe the man, in his 40s, has a degree in microbiology and needed cash to help his ailing business. A woman and a second man were held by police in Britain for questioning.

During the month-long investigation, police posed as food company officials and carried out negotiations using coded messages in the personal columns of *The Times*.

The threats began in a series of letters to the five companies — in London, West Mercia, Northumbria and Suffolk. Each company was asked to

ANNOUNCEMENTS

WILLIAMSON & Co. are now active in America as you suggest. Mother now organises a new venture with John. The cover is closed.

Message in *The Times*

pay £50,000 into a numbered bank account abroad. The blackmailer had relied on all the firms being able to raise the money and cooperating with him, rather than going to the police and risking publicity. But all the companies did go to the police and the Yard took over coordination of the case.

At one stage the firms each received a phial containing cultures of a germ identified as *Yersinia Enterocolitica*; and they were warned that a second virus, identified as *Campylobacter*, would contaminate their products if they failed to deliver the money.

After taking advice from scientists and the Department

of Health, police decided not to tell the public because there was no risk. They were also concerned the blackmailer could have access to more dangerous cultures.

The blackmailer insisted the firms should show their willingness to pay by inserting advertisements in *The Times* using the code words "Australia" and "Wurtemberg". The advertisements started to appear on June 25: the first read "Wurtemberg's [sic] sorry for delay, matter concluded will be travelling to Austria Monday".

After further exchanges in *The Times*, the Yard sent officers to Austria to work with local police. They were waiting when the blackmailer arrived to check his account.

Last night Commander Roy Ramon, head of the Yard's specialist operations branch, praised the companies for standing together against the blackmail threat. "It was a courageous thing to do."

Mackay steps into constitutional clash

FROM FRANCES GIBB, LEGAL CORRESPONDENT

THE Lord Chancellor intervened in the constitutional clash between ministers and judges last night with a strong defence of the right of judges to disagree publicly with the Government and to over-rule their decisions in the courts.

But in the same speech, Lord Mackay of Clashfern gave a warning against incorporating the European Convention on Human Rights into British law. This, he said, would "draw judges into making decisions of a far more political nature".

In his first major contribution to the debate between the executive and the judiciary, Lord Mackay said judges had a "pivotal" role to play in judicial review cases where they decided whether the executive had stayed within bounds set by Parliament.

Addressing The Citizenship Foundation in London, he said such rulings "in no way undermine the sovereignty of Parliament". It was important, he said, that judges were independent. Questions in judicial review cases were not always clear cut and the outcome could be hard for the Government and its advisers to predict but, he said, judges must be free to speak boldly in their judicial capacity.

However, Lord Mackay sought to defuse current tensions by emphasising judges would always apply the law as carried by Parliament. His intervention comes in the wake of criticism from senior judges, including the recently retired Lord Chief Justice, Lord Taylor of Gossforth, over the sentencing plans of Michael Howard, the Home Secretary, to be included in a Bill this autumn. Ministers have also been angry at a series of judicial review rulings overturning their decisions. Mr Howard is challenging a May ruling that Continued on page 2, col 4

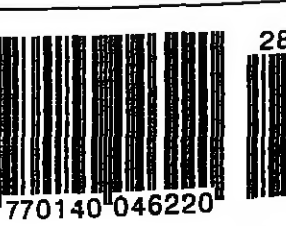


Mandela honour

Nelson Mandela begins a state visit to Britain today with a carriage drive down The Mall and lunch with the Royal Family. So many universities want to confer degrees that a mass graduation is being held. Page 7

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Disc jockeys stage sit-in over standing rule

By ROBIN YOUNG
AND SUKI BENN

TWO radio disc jockeys staged an on-air sit-in yesterday morning to protest over being forced to stand up to present their show.

Dave and Dawn Asher, a husband-and-wife team on Invicta Supergold, a Kent radio station, locked themselves

in their studio in Whitstable and refused to finish their broadcast.

They telephoned Sandy Beech, the station's controller, to complain about the policy of having presenters work standing up. Mr Beech's replies and threats to dismiss them were, unknown to him, relayed to listeners.

Three months ago Invicta introduced American-style lecterns in the

belief that presenters would sound more vibrant if they were not seated. Dawn Asher, 27, complained that the policy was giving her varicose veins. Yesterday Dave Asher, 32, told listeners: "We do not think it's fair and that's why we are refusing to get off the air."

The couple kept up a 50-minute commentary on efforts to get them out of the studio, the only one at the

station that was functioning during refurbishment. It was not until another studio had been hastily re-wired that they could be silenced.

Mr Beech, 24, said later: "I have given them a real roasting, but we have made a deal, and I have ordered hide covered swivel chairs which cost £150 each. They are being delivered in two weeks' time."

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Birthday girl resists urge to fly off the starting handle

It is hard to imagine Lady Olga Maitland succumbing to road rage. Slim, poised and expensively dressed, the Conservative MP for Sutton & Cheam speaks in the cut-glass tones we might hear from the partially wound-down window of a well-kept (one careful owner) 1960s Mercedes convertible, asking the way to Asot.

It was therefore puzzling that Lady Olga chose her Question to Transport ministers yesterday to ask about road rage. Lady Olga — road

rage? Chic-pique, at the very most. We soon discovered it was not road rage La Maitland really wished to discuss. Glaring at Clare Short, Labour's Transport spokeswoman, she told minister Steve Norris that if millions of unhappy motorists had been forced to take to London's roads yesterday, and tempers frayed, this was the fault of the rail unions who had brought London Underground to a halt, and the Labour Party who by their silence had condoned it. Fair-

minded Lady Olga stopped just short of charging Clare Short with personal responsibility for the recent fatal stabbing on a motorway slip-road.

Ms Short glared back. One of the nice things about this feisty Brummie MP is that, whistled at by a smirking male driver, you can actually imagine her jumping out of her Transit van and biffing him on the nose.

Mr Norris told Lady Olga she was absolutely right about the Labour Party.

Smooth-tongued Mr Norris is the sort of chap who would be more likely to cause road rage than exhibit it himself, slipping down the hard shoulder in his BMW, past solid lines of stationary traffic on the M1, chatting on his mobile phone.

Madam Speaker erupted. It was a hot day, black tights and buckled shoes pinch and

drivers". Given that the two most likely to provoke a cabbie to fury are the sight of a cyclist, and the sight of a transport minister, to see both rolled into one must be a provocation too far.

But — beep-beep — who was this beeping up behind us? It was Dame Elaine Kellett-Bowman, who still drives an ancient Morris Minor to and from her constituency of Lancaster every weekend. We can picture her: 40mph on the M6, middle lane, road rage all around her.

unconcerned as she listens to *The Archers* on her valve radio. It was Dame Elaine's 72nd birthday and she had chosen for the occasion a frock in a festive print resembling Euro 96 design.

What we now call "road rage", she told MPs, would in her day have been called "temper tantrums". You can picture the scene: someone has spilled the travel-sweets all over the car-rug after the Morris Oxford boils over just south of Scotch Corner on the Great North Road. Steve Nor-

ris agreed — why, he said, even in the 1920s there were reports that angry motorists had attacked each other with starting handles. To this sketchwriter, who has heard Elaine Kellett-Bowman heckling the Labour Mayor of Brighton during his welcoming speech at a Tory Party Conference, the thought of the Dame wielding a starting handle — even at the age of five in 1929 — chills the blood.

Mr Norris wished Dame Elaine a happy birthday. We all do.

MATTHEW PARRIS

POLITICAL SKETCH

Fresh blow for chances of Budget tax cuts

By Philip Webster and Charles Bremner

TORY MPs' dwindling hopes for substantial tax cuts in the next Budget will suffer a further blow today with the publication of Treasury figures showing public borrowing overshooting by some £5 billion.

With the Right increasingly divided over whether Kenneth Clarke should deliver cuts, today's summer forecast suggesting a shortfall equivalent to about 2.4p off income tax will underline his limited options.

The forecast comes at the same time as the European Union gave a new warning that the Chancellor cannot afford any tax cuts in November.

The expected revision upwards of this year's public sector borrowing requirement from the forecast £22.5 billion prompted a call from Gordon Brown, the Shadow Chancellor, for Mr Clarke to explain the "black hole" in the Government's finances. Mr Brown said that last year the Government was £8 billion out in its calculations of revenues from personal and corporate taxation and VAT.

Mr Clarke had said that "his boffins got their estimates wrong", Mr Brown said, but it was time the country was told the full truth about the serious state of the public finances.

EU finance ministers yesterday endorsed a report from their monetary committee warning that fresh tax cuts would make it too difficult for Britain to meet the tight budgetary targets needed to sign up to a single currency.

Mr Clarke, engaged on a prolonged campaign to douse expectations, said in Brussels that "I am not prepared to go for tax cuts come what may". He said the vast majority of

Tory MPs agreed that tax cuts should be made only if they were consistent with controls on public spending.

He received strong backing from his predecessor, Norman Lamont, who said it would be "idiotic" to offer big tax cuts as an election bribe. John Redwood, the former Welsh Secretary and Tory party leadership contender, has called for big cuts funded by sharp spending reductions.

The monetary committee named Britain as one of 12 states deemed to need a tougher fiscal policy to bring its deficits under the so-called Maastricht target of 3 per cent of gross domestic product.

It noted that the Government's deficit forecast of 4.5 per cent of GDP in 1995-6 had been over-optimistic. "There would appear to be no room for relaxation in revenue and expenditure policy given the weaker-than-expected trend in revenues. Continued tight control of expenditure will be necessary."

Mr Clarke said: "Tax cuts are a very good thing, but you only get tax cuts when firstly, you have got your spending under control, still respect your priority spending commitments, and have got your borrowing on a firm downward path." He said the recommendations were in line with government policy and that the committee's findings did not tell him anything he did not already know. He was "entirely content" with them.

Mr Lamont also backed the criteria as sound advice, even if Britain was not going to join the single currency. "It may be possible to have tax cuts provided they are matched by public spending cuts, he said.

Peter Riddell, page 11



A lorry burns in Portadown yesterday, set alight by loyalists protesting at the ban on Sunday's Orange march

Shooting victim's family blames Unionist leaders

By Nicholas Watt, Chief Ireland Correspondent

THE family of Michael McGoldrick, the Roman Catholic taxi driver who was shot dead in a suspected sectarian attack, yesterday blamed his death on Unionist leaders who made "fire and brimstone" speeches.

The 31-year-old mature student was found slumped over the steering wheel of his taxi. A statement issued on behalf of his wife, Sadie, who is five months pregnant, and daughter Emma, seven, made a thinly veiled attack on the Rev Ian Paisley and accused politicians of whipping up loyalists in the Portadown area.

The statement said: "The politicians must bear some responsibility for this because

they have been mouthing off too much lately. Fire and brimstone speeches have featured too much in this situation. Their loose talk has cost this young fellow his life."

Mr McGoldrick's family said that any other "innocent young lad" could have been shot by the gunman. They then appealed for calm, adding: "We do not want any retaliation. They just shot an innocent fellow doing a night's work."

Hardline loyalist terrorists from mid-Ulster were suspected of shooting Mr McGoldrick in the back of the head in the early hours of yesterday morning. His body was found just after 7am slumped over the steering wheel of his taxi in a country lane on the outskirts of Lurgan, Co Armagh, close to Portadown. The gunman had asked the taxi to meet him at the Centrepoint cinema complex in Lurgan just after midnight yesterday.

Although the RUC would not speculate on a motive for the killing, the shooting bore all the hallmarks of a sectarian murder by loyalist terrorists.

Friends paid warm tributes yesterday to Mr McGoldrick, 31, who was married with a young daughter, and who had just graduated from Queen's University Belfast. Mr

McGoldrick was born and raised in Glasgow where he worked as a psychiatric nurse until he moved to Lurgan seven years ago when he married.

His parish priest described Mr McGoldrick as a "good living young" man who was dedicated to his family. Father Terry Rafferty said: "Michael and Sadie were a great witness to love. He was a very dedicated family man who worked hard for them all."

Mr McGoldrick had been working part-time as a taxi driver for the last year while he studied for a BA in English and politics at Queen's. He hoped to become a teacher.

Dr Jim Martin, his tutor at Queen's University, said: "It is a great tragedy that someone who has just graduated, and had so much to offer, has been so brutally wiped out. He was particularly conscientious and put in a lot of work."

A colleague of Mr McGoldrick's at the Catholic taxi firm in Lurgan, who did not want to give his name for security reasons, said yesterday that drivers were now fearful of a renewed round of sectarian attacks by loyalists.

He said: "We are all very nervous at the moment. You are only 10p away from being killed because that is all it takes to order a taxi."

Ulster

Continued from page 1

have been drafted into the Portadown area in a huge security operation.

The renewed disturbances yesterday came as loyalists staged a series of protests throughout Northern Ireland in support of the Orangemen at Drumcree. Loyalists set fire to a van and cars close to the centre of Portadown as Orangemen blocked off the town centre. Loyalists also raided a showroom in Ballymena, Co Antrim, where they burnt 50 vehicles and damaged 25.

The political fallout from the protest worsened yesterday when the Ulster Unionists announced that they would not join the multiparty talks at Stormont until the standoff was resolved. The Rev Ian Paisley, leader of the Democratic Unionists, who told the loyalists that their protest was "worth fighting for and worth dying for", vowed that the Orangemen would stand firm.

The standoff, dubbed by Orangemen as the "Siege of Drumcree", has come to symbolise to Unionists the essence of their struggle. They believe that the nationalist opposition to their march along the Garvaghy Road is a glaring example of a concerted attempt by Sinn Féin and the Social Democratic and Labour Party to unsettle Unionism. They also say that the decision by Sir Hugh Annesley, the Chief Constable of the RUC, to re-route their parade highlights the way the authorities bow to pressure from republicans.

Reshuffle ruled out before election

By Philip Webster

POLITICAL EDITOR

JOHN MAJOR plans to leave his Cabinet unchanged and to campaign with his current team up to the general election, probably in the spring of next year.

That emerged yesterday as informed government sources disclosed that the Prime Minister had asked Sir Patrick Mayhew to stay on as Northern Ireland Secretary in spite of his decision to retire as an MP at the election.

A small ministerial reshuffle of the lower ranks — to allow for the retirement from the Government of Steve Norris, the Transport Minister, and Tim Eggart, the Energy Minister — is expected later this month.

But Mr Major's decision to rule out changes in the top ranks means that ministers such as Douglas Hogg, the Agriculture Minister, Lord Mackay of Clashfern, the Lord Chancellor, and Virginia Bottomley, the National Heritage Secretary, who have been mentioned as candidates for removal, appear to be safe.

Mr Major has been aware of Sir Patrick's impending retirement for some time but told him that he wants him to carry on while the peace process is in such a sensitive stage. Whitehall sources dismiss any suggestions that he would be a "lame duck Secretary of State" after his announcement that he is to give up his seat of Tunbridge Wells, Kent.

Sir Patrick's decision to leave one of the safer Tory seats will spark a stream of applications from candidates.

The news that the Cabinet will not be given a facelift will disappoint some Tory MPs, particularly those who were unhappy with Mr Hogg's handling of the beef crisis. But Mr Major is reluctant to ask ministers to take on a fresh Cabinet brief only months away from the election. Ministers believe they are more at risk of making gaffes in their early days in a new job.

Tube strike halts 60% of services

Commuters faced a day of travel disruption yesterday as London Underground drivers staged a third strike over working hours.

London Transport said that about 40 per cent of Tube services were running, the highest level since the industrial action started two weeks ago. Several lines operated a near-normal service. Motoring organisations said that there were few problems on the roads.

Leaders of the Aslef train drivers' union will meet today to discuss their next move, including the possibility of escalating the action.

Jockey injured

The jockey Anthea Farrell was seriously injured when the horse she was riding collapsed and died while rehearsing for a pageant in Harrogate. She was taken to hospital with head and other injuries and was described last night as comfortable.

20-year car ban

A persistent drunken driver who went on a binge after being diagnosed HIV-positive was jailed for six months and banned for 20 years by a Horseferry Road magistrate, William Alcock, 31, of South Kensington, London, admitted seven offences.

Horse sees red

Vandals have daubed red paint on the Westbury White Horse above the village of Bratton, Wiltshire. The incident follows similar damage to the stone circles at Avebury and the 15th-century St Michael's Tower on Glastonbury Tor, Somerset.

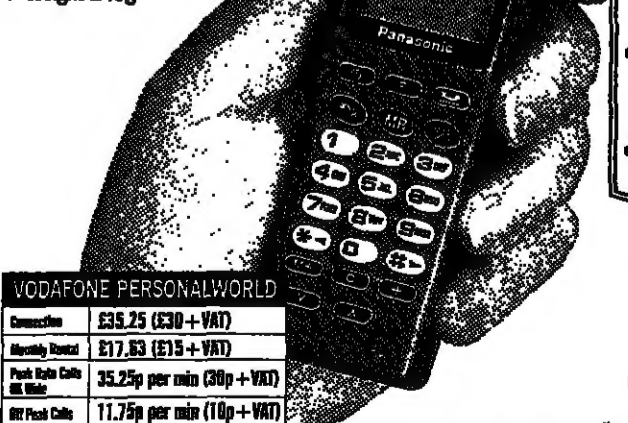
Winning streak

William Hill paid £2,000 to punters who placed bets on Wimbledon seeing its first streaker, the bookmakers said. The highest bet was £20. The odds on a repeat performance next year of Sunday's streak have been cut to evens. Wimbledon, pages 46, 48

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Mackay

Continued from page 1

he acted unlawfully when setting a 15-year jail term for the boys who killed James Bulger. Judges, Lord Mackay said, were free to speak out on matters of public debate and had increasingly done so since he lifted a ban in 1989.

He was not convinced by arguments one or two judges have advanced that there may be a higher order of law against which judges can measure Acts of Parliament and, if necessary, strike them down.

He also warned that incorporating the European Convention or creating a Bill of Rights — as favoured by many senior judges and by Labour — would mean judges would find themselves measuring policy against abstract principles, which had implication for social and economic policy — the preserve of Parliament.

Another danger was it would require a change in the criteria for appointing judges, and make political stance as important as judging ability.

That raised the question whether public confidence could be maintained in judicial independence and impartiality, or whether the appointment of judges should be subjected to "political scrutiny of the sort seen in the United States".

Camelot earns £4m in prize interest

By Carol Midgley

CAMELOT faced further anger over its large profits yesterday after it emerged that it had earned £4.4 million in interest from unused lottery prizes.

There were demands for a review of the rules surrounding interest from undistributed money which critics said should go to good causes rather than Camelot.

The sum has come largely from cash set aside for the Instant scratchcards, whose sales have slumped partly because of newspaper cards.

From a peak of 44 million a week a year ago sales are down to less than 18 million. With fewer winners, the glut of unused prize money is estimated at £138.25 million.

Although that money will be handed to the good causes, the regulations say that Camelot can keep the interest earned on it while it is held in the bank. The lottery operator cannot, however, keep interest earned from prizes which have been won but remain unclaimed because that money is effectively someone else's property. Last month

Camelot announced profits of £77 million, which includes the £4.4 million.

Yesterday the Labour MP Joe Ashton, a member of the Heritage Select Committee, said there was already widespread public concern over Camelot's profits. "Few people would disagree that interest raised from unused prize money should go to charity not the lottery bosses. The rules should be changed not only in this area but in others. For instance 25 per cent of the profits are paid to the good causes but that 25 per cent can balance out over seven years. In some instances they are paying out less now, about 22 and 23 per cent, and storing more up for years five, six and seven," he said.

A spokeswoman for Oflot, the lottery regulator, said Camelot's licence was up for renewal in 2001 when changes could be made. But she defended the existing rules. "While it is right to say that under the licence framework Camelot can keep interest earned on prize shortfalls, it is not right to say that in doing so it deprives the good causes of money."

NatWest Interest rates

NatWest announces the following interest rates, effective from 9 July 1996:

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Diamond Reserve 1 Month Notice - interest paid monthly			
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£50,000 - £99,999	4.375%	4.46%	3.50%
£25,000 - £49,999	4.000%	4.07%	3.20%
£10,000 - £24,999	3.500%	3.56%	2.80%
£2,000 - £9,999	2.625%	2.66%	2.10%
Premium Reserve Instant Access - interest paid quarterly			
£50,000 +	3.625%	3.67%	2.90%
£25,000 - £49,999	3.125%	3.16%	2.50%
£10,000 - £24,999	2.750%	2.78%	2.20%
£2,000 - £9,999	2.500%	2.52%	2.00%
First Reserve Instant Access - interest paid quarterly			
£1,000 +	2.375%	2.40%	1.90%
£500 - £999	2.125%	2.14%	1.70%
£250 - £499	1.875%	1.88%	1.50%
£100 - £249	1.625%	1.64%	1.30%
£50 - £99	1.375%	1.39%	1.10%

The rates for all other personal savings accounts remain unchanged. Where appropriate, lower rate tax (currently 20%) will be deducted from interest credited or paid (which may be reclaimed by resident non-savings taxpayers). Otherwise for example, subject to the required registration formal, interest will be paid gross. The Gross Rate is the rate paid before deducting income tax. The Gross Compounded Annual Rate (GCAR) is the rate where gross interest payments are retained in the account during the year. The Net Rate is the rate paid after the deduction of lower rate income tax, currently at 20%.

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Police question father of girl, 9, found battered to death on rail line

By KATE ALDERSON

THE father of Jade Matthews, the nine-year-old girl found battered to death on a railway line yesterday, has been arrested and questioned by detectives. Police are also trying to trace three boys who were seen playing in the area where Jade's body was found.

Detective Superintendent Geoff MacDonald, who is heading the murder inquiry, said Alan Priest, 34, who is not known to have contacted his daughter since he separated from her mother three years ago, was being interviewed as part of routine inquiries.

Jade, from Bootle, Merseyside, was last seen by her mother when she went out to play at 4pm on Sunday. Police were called when she failed to return and her body was found lying in a pool of blood next to a rarely used railway siding in Bootle in the early hours of yesterday.

The boys, aged between nine and ten, were seen near the railway line at 8pm on Sunday but police emphasised last night that they had no reason to believe they were implicated in the crime.

Mr MacDonald confirmed that Jade had not been sexually attacked and post-mortem results showed she was hit around the head and died from these injuries.

Jade should have been doing a sponsored skipping race for heart research yesterday afternoon with her classmates at Orrell County Primary School, Bootle.

She had spent the past few days collecting sponsorship from neighbours but yesterday the event was cancelled and Jade's schoolfriends said prayers for their murdered friend in a special assembly.

Bob Branch, headmaster of the 350-pupil school, said staff and pupils were extremely shocked and distressed by Jade's death. Mr Branch, 43, heard about the death of a schoolgirl in Bootle on his car radio yesterday morning as he

drove to work. He hoped against hope that it was not one of his pupils but arrived at the school to learn of Jade's death.

This is a close-knit community, everybody is affected by Jade's death, everyone will be hugging their children tighter tonight," he said. "Jade was a very bouncy girl, full of energy, full of life and very athletic. She always had a smile on her face and was well liked."

He said Jade had been looking forward to doing well in the charity event. "Our



Branch: hoped victim was not his pupil

children like to help other people whenever they can. As usual they were going to have a lot of fun but they were going to help people as well. Jade was a spirited child, an enthusiast for life and for everything she did."

The site where Jade's body was found is less than two miles from her home and half a mile from the Strand Shopping Centre where James Bulger was abducted before being murdered by Jon Venables and Robert Thompson in February 1993. The two-year-old's body was found on a railway line three miles away in Walton. Liam Hick-

ey, 28, who lives near Jade's mother, Denise, and her step-father, Stephen Matthews, 37, said: "The memory of the Bulger killing still weighs heavily here."

Mrs Matthews raised the alarm at about her missing daughter at 9pm. Residents from the neighbourhood helped to search for Jade on Sunday evening. The family lived in a mid-terrace house and neighbours saw Jade playing with their children in her home street and adjoining roads almost every day. Many of their children attended the same school as Jade.

Police launched a full-scale search of the neighbourhood and a police dog handler discovered her body lying alongside the track at about 12.30am yesterday.

She suffered severe facial injuries, which Mr MacDonald said appeared to be consistent with her having been beaten with a blunt instrument. Forensic experts are examining a number of blood-stained items found at the scene, including a plank of wood.

Jade was found dressed in the pink sweatshirt with black trim around the neck and flower motif, blue jeans and white training shoes that she had been wearing when she left home.

The railway line is set in a bushy isolated area and is overlooked by Securicor and Parcel Force depots. A path runs along the railway line and is regularly used by adults for walking but is not an area associated with children's play.

Yesterday parents, some of them in tears, huddled in groups in the streets holding on to their children. It is a neighbourhood of small council terraces, with adjoining front and back gardens, where everyone knows each other, where people stop to chat over the garden fence and where people are still haunted by the death of James Bulger.



Honor Fraser, left, the star of Ungaro's show, and Naomi Campbell in a patterned dress with matching coat by Christian Dior

By GRACE BRADBERRY
STYLE EDITOR

Amazonians are the height of style

THE Paris couture shows are a war zone this week, as thin Amazonian models battle it out with older, more curvaceous women to be the queens of the catwalk. The Amazonians are winning.

The models of the moment are Honor Fraser and Stella Tennant, two aristocratic Englishwomen who are very tall, very thin and have an androgynous look.

Fraser, the first out at yesterday's Ungaro show, was also chosen to wear Valentino's signature red dress at the end. "It's suddenly happened for me," she said. "I've had a lot of bookings." The 22-year-old sister of Lord Lovat, she began modelling four years ago, following in the footsteps of her cousin Tennant.

Up against the pair are Naomi Campbell and Helena Christensen, the only two old-style "supermodels" to make an impression this week.

Campbell looked triumphant as she stood by Versace's side at the end of his Saturday show, but she has not dominated since.

Christensen, clearly feeling beleaguered, has suggested that designers are looking for aliens this year, rather than women. Claudia Schiffer has not yet appeared. The buzz among fashion editors had been that she would model in the Chanel show for the designer Karl Lagerfeld. But not this year. Lagerfeld has another favourite now, Tennant, who has an advertising contract with Chanel and will dominate today's catwalk show.

Schiffer has gone elsewhere. "She has an exclusive contract with Yves Saint Laurent," said Rodi Char-



thin as she stepped out at the Grand Hotel yesterday, before an unusually packed audience for the last Ungaro show before the company becomes part of Ferragamo.

The Italian shoe company announced it was buying Ungaro last week. As well as impossibly slim suits, Ungaro featured ball gowns with billowing over-skirts covered in flowers.

There were scarcely enough seats at yesterday's Christian Dior show either, as Gianfranco Ferré put on his last couture show. In another upheaval in the world of haute couture, Dior has announced that Ferré's contract will not be renewed by mutual agreement.

Among those who gave a standing ovation to Ferré's Arabian Nights' creations were Mme Chirac and Mme Pompidou, and the most prominent face on the front rows this week, Mouna al-Ayoub, recently divorced from a Saudi businessman and with alimony to spend.

Headmaster denies sex attacks

THE former headmaster of a boarding school indecently assaulted six boys in their dormitories at night, it was alleged yesterday.

Robert Hay, 42, denied seven offences between August 1992 and June 1995 when he appeared before Bristol Crown Court. The alleged victims were aged nine to 12 and one was indecently assaulted twice, Robert Duval, for the prosecution, said.

Until he resigned as headmaster, Mr Hay, who moved to an undisclosed address, had breached the trust placed in him by parents and children. Mr Duval said. Video interviews the children gave to police and social workers would be played to the court, and they would be cross-examined by video-link.

One boy, frightened after an alleged indecent assault by Mr Hay, spoke to others, and rumours spread to staff. One member of staff overheard the boy speaking to a child from a public telephone in the school, saying he was "scared and frightened" by someone he had to face in class later.

In June last year the school's deputy head told Mr Hay of the allegations and he denied anything untoward. Mr Hay was arrested the next month but denied all the specific allegations put to him.

The school, in South West England, cannot be named. The trial continues.

Private eye's wife 'recruited hitmen to kill husband'

By A STAFF REPORTER

A PRIVATE detective was murdered by two hitmen who had been hired by his wife, a court was told yesterday. Ann Trigwell had a boyfriend and stood to gain about £380,000 from bonds and insurance policies on the death of her husband, Barry, Birmingham Crown Court was told.

"That together with her lover was a particularly heady cocktail and incentive. He was worth a great deal more to her dead than alive," Timothy Raggatt, QC, for the prosecution, said.

The court was told that Mr Trigwell, 43, was not a "glamorous television private investigator" but carried out mostly "routine and harmless" matrimonial and child custody work for the legal profession after buying the franchise for the Birmingham-based Nationwide Investigations.

He had no known enemies, but was battered to death with a heavy blunt instrument at the home he shared with his wife in Walmley, West Midlands, in February last year. Mr Raggatt said: "He was killed to order to order as a result of a plan. His death has been paid for. It was cold-blooded and very, very carefully planned."

It was alleged that when Mrs Trigwell, 43, visited her home country of South Africa she enlisted the services of

three men: Alex Mitri was said to have co-ordinated the crime, and Paul Ras and Loren Sundkvist allegedly travelled to England to carry out the killing.

Mr and Mrs Trigwell were married in 1994 but Mr Raggatt said that the marriage was a disaster from the start. She had an affair with a fellow South African, Jan Burger, and enlisted Mr Mitri's help after he rented a flat she owned in Johannesburg.

It was alleged that Mr Mitri recruited Mr Ras and Mr Sundkvist, who arrived at Gatwick in January and booked into a hotel in Walmley. Mrs Trigwell delivered a package containing a key and £300 to the hotel.

The jury was told that there was no sign of forced entry at the dead man's home. Mr Raggatt said: "All his valuables, apart from his cigarette lighter, were left behind. When his body was found there was £500 still there. There was no sign of a struggle. He was killed efficiently, quickly and without fuss."

Mr Trigwell was hit very hard on the head at least twice, blows that shattered his skull and killed him outright, the court was told. He was then dragged upstairs where he was placed in a bath filled with water.

Mr Raggatt said that if Mrs Trigwell had hired the hitmen "she is as guilty of his murder as if she had beaten him to death herself". He said that the three men were still at large in South Africa, "for the moment outside the reach of our law".

Mrs Trigwell had an alibi of "enormous proportions" as she was 6,000 miles away at the time of her husband's death, he said. "She had plenty of time to rehearse the part of grieving widow. But the whole thing was a sham from beginning to end and the grief was synthetic."

Mrs Trigwell denies murder. The trial continues.



Trigwell had no known enemies

Conman set up fake air ambulance

By STEPHEN FARRELL

A CONFIDENCE trickster who set up a fake international air ambulance service to cheat a hospital out of more than £376,000 was jailed yesterday for seven years. Richard Sage, 34, funded a lavish lifestyle by persuading West Lambeth Health Authority in London that his Surrey-based company Belmont Air and Road Ambulance Services was transporting patients around the world.

He hoodwinked St Thomas's Hospital's private patients department out of £376,670, despite having an earlier conviction for defrauding a hospital. The money was enough to run an NHS ward for a year. Southwark Crown Court was told. Sage, of Woking, Surrey, admitted 11 charges of obtaining property by deception, conspiracy and fraud. Passing

sentence, Judge Rivlin, QC, described him as a "professional, practised confidence trickster" whose crime was aggravated because it "targeted precious public funds intended for the honest use of the health service and the benefit of its patients".

Patrick Upward, QC, for the prosecution, said the former funeral director began his deception in October 1992. He persuaded the hospital to pay contracts in advance, telling them they would be reimbursed by an American medical insurance company, First Response Incorporated. The pretence was supported by company letterheads and documents. But the company was simply a telephone answering service and mailing address in Michigan. Invoices arrived for the transport of patients from Tangier, Zurich, Malaga and America. The non-

existent patients included a clergyman and a baby.

In October 1992 hospital managers became suspicious after receiving no money from First Response. Sage spent £6,000 flying them to Chicago, where they were met by chauffeur-driven limousine and put up at the Sheraton Hotel but never met the director they went to see.

When doctors asked for a demonstration of the air ambulance he brought them to Heathrow Airport, told them the patient's trip was cancelled at the last minute and flew them to Paris for the day at a cost of £3,265.

Michael Moffatt, 36, unemployed, of Northampton, admitted aiding and abetting Sage to obtain £35,000 by deception. He will be sentenced after the trial of a third defendant, who cannot be named for legal reasons.

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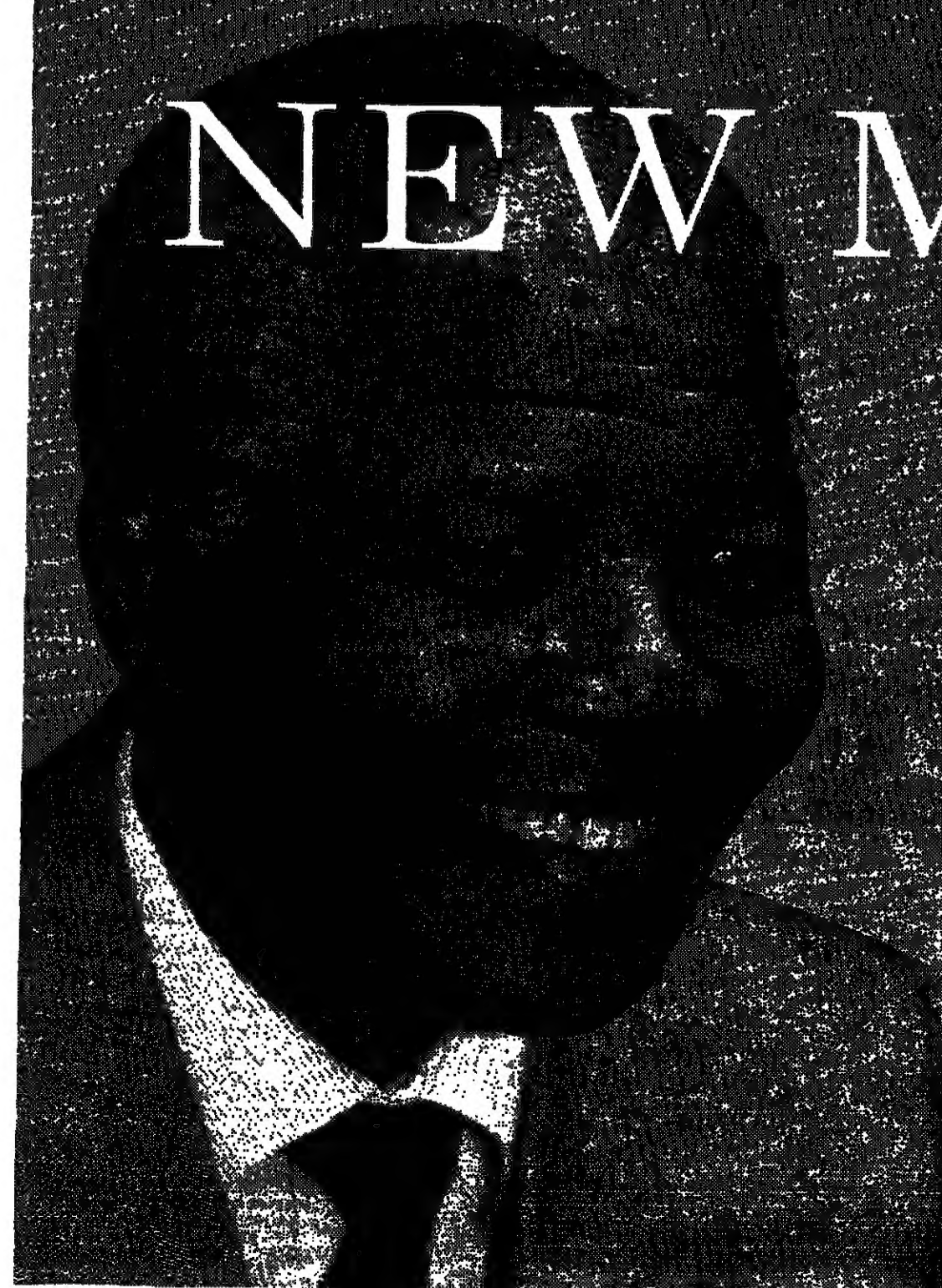


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BEFORE YOU PUR

BA plans to shut its Gatwick base if pilots strike

By HARVEY ELLIOTT, AIR CORRESPONDENT

BRITISH AIRWAYS is planning to shut much of its Gatwick operation if next week's pilots' strike goes ahead. The BA board has given Bob Ayling, the chief executive, its support for the move which could throw several thousand people out of work and wreck plans to turn Gatwick into an international hub for air travellers.

Attempts were made yesterday to reopen negotiations between both sides in the dispute, as thousands of business travellers, tour operators and holidaymakers tried to rebook flights on packed rival airlines.

At the root of the problem is BA's determination to make Gatwick a low-cost operation with wages well below those at Heathrow. The company says that "yield" — the amount of money generated per seat — is much lower from Gatwick than Heathrow and that costs, including wages, must therefore be lower.

Although all other groups among BA's 46,000 British-based staff have accepted a 3.6 per cent pay deal, the 3,164 pilots and flight engineers who belong to the British Air Line Pilots' Association

(Balpa) have not. They have also rejected an increase of up to 9 per cent on top of the 3.6 per cent in the basic pay of Gatwick-based crew, saying that they already earn more than that in overtime. Other pilots are convinced that BA intends eventually to force everyone into line with the lower salaries at Gatwick.

Balpa says BA agreed that once Gatwick began to make a profit its pilots' pay would gradually increase. In the past two years Gatwick has greatly expanded and now Euro Gatwick — created after BA took over Dan-Air — flies to 26 destinations with 175 flights a day, and employs more than twice as many pilots as the L20 it took on originally.

To the BA accountants Gatwick was suddenly looking like a success story. In the two years to 1995 Euro Gatwick made a £9 million operating profit. However, BA has invested heavily and has yet to make a net profit from its Gatwick operations.

Balpa yesterday asked to meet Mr Ayling. "We have some suggestions to make to the company and we hope they have too which will enable us both to move forward," Chris

Darke, Balpa's general secretary, said. Attempts to reach an agreement with the union failed because of the pilots' demands for a 10 per cent increase in pay and a 10 per cent increase in overtime. There are also no spare aircraft available on the leasing market, apart from a few ageing Tristars. To retain experienced pilots whose licences may have expired would take a minimum of six weeks.

Balpa said: "It is quite simple if they don't reach a settlement with us before July 16, no planes will fly."

Reading article, page 19



American replica of the 18th-century Royal Navy frigate HMS Rose passing through Tower Bridge yesterday. The original Rose is at Bridgeport, Connecticut, where it is used as a sail-training ship.

Resentful employee sabotaged computer

By ADRIAN LEE

A DISGRUNTLED worker who brought one of Britain's leading companies to a standstill by sabotaging its computer system was jailed for a year yesterday.

Thorn UK, lost business worth more than £500,000 after Jeremy Feltis, 35, unemployed, caused computers to crash, Reading Crown Court was told.

The shutdown left Thorn unable to process orders from 1,125 electrical shops and 29 distribution centres. A trouble-shooter called in from the United States to Thorn's headquarters in Theale, Berkshire, discovered that the system had been tampered with. A video camera was installed and Feltis was caught.

The court was told that Feltis, who has a young son, had suffered a breakdown because of long hours spent working and commuting. He also had a grudge against his supervisor, Feltis, of Walthamstow, east London, admitted three charges of unauthorised modification of computer material last year.

Footballer denies assault over woman

By ADRIAN LEE

THE Manchester United player Nicky Butt denied a man in the lavatory at a Chinese restaurant during a long-running feud over a woman, a court was told yesterday.

The attack by Butt, 21, who played 31 league games for United's championship-winning team last season, left Peter Oldbury, 26, with a broken nose. It was alleged Butt denied assault.

The men had at different times dated the same woman, Shelley Barlow, Stuart Denny, defending Butt, said that Mr Oldbury had dated Miss Barlow for about three months from April 1993 while still going out with his long-standing girlfriend.

Mr Oldbury admitted he "disliked" Miss Barlow after the relationship ended and gave evidence against her in court in February 1995 on charges under the Data Protection Act. She was cleared. He alleged that the day before he was due to give evidence against Miss Barlow, Butt threatened to "slit his throat" and "blow up his house".



Butt yesterday denied he was accused of busting rival

Mr Denny suggested that on the night of the alleged assault, last October, Mr Oldbury followed Butt and tried to provoke him. He said: "This was a deliberate attempt to frame Mr Butt. This case is all about getting back at Shelley Barlow and her boyfriend Nicky Butt. What you want to achieve is to see Mr Butt prosecuted and to get money out of him."

Mr Oldbury denied confiding in a friend that he had set out to provoke Butt. The trial at Manchester Crown Court continues.

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News Release

July 1996

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The shareholding banks have also agreed with MasterCard International a programme of removing the Access symbol from retail outlets over the next few months. However, NatWest Access cards remain fully valid and will continue to be accepted wherever the MasterCard symbol is displayed.

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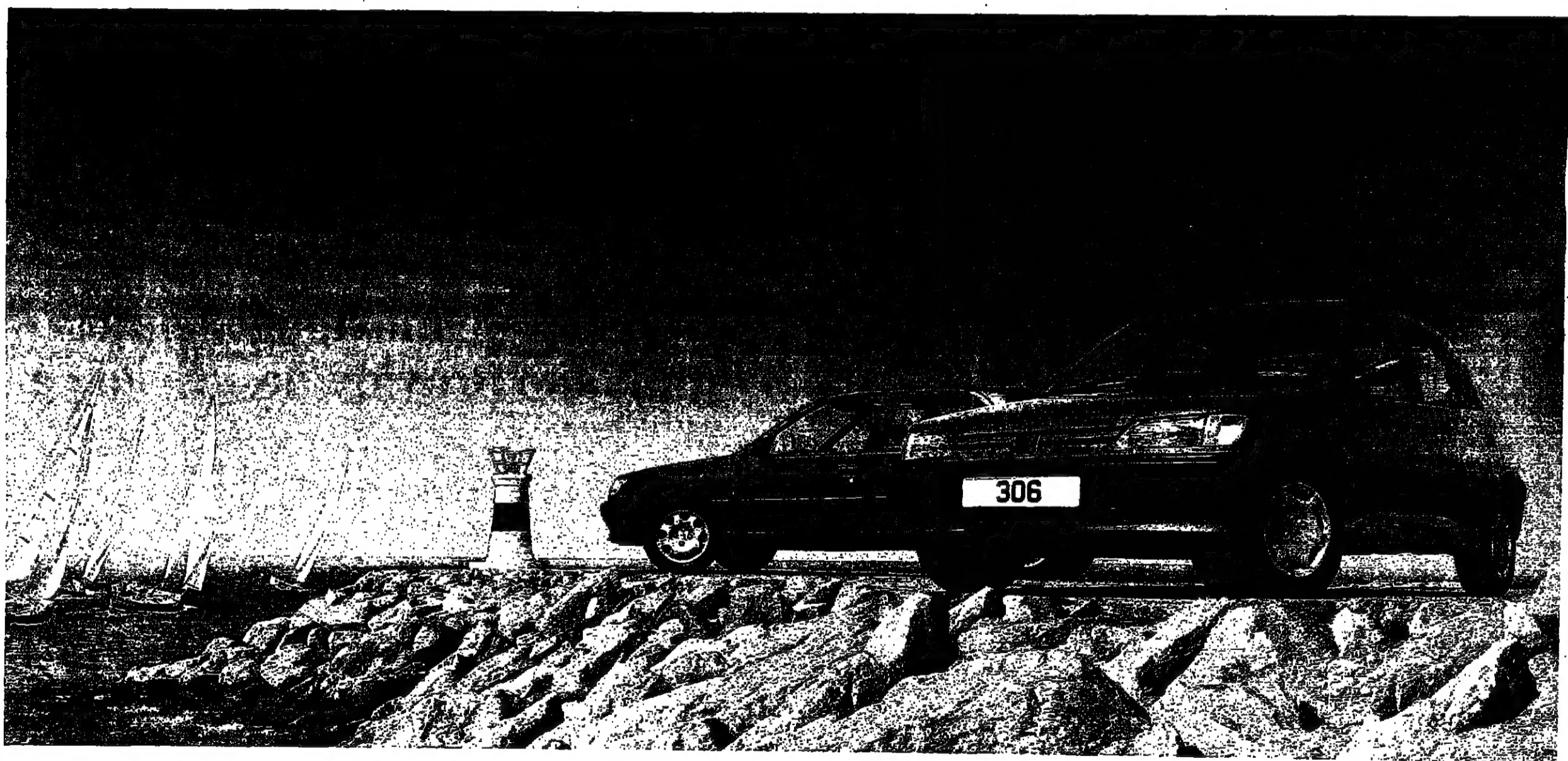
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Mandela visit shaped by rigours of Robben Island

BY ALAN HAMILTON

TWENTY-SEVEN years of prison rigour on Robben Island have helped shape the programme for President Mandela's historic four-day state visit to Britain, which begins today. Freedom has not cured the 78-year-old elder statesman of rising at 5.30am and being in bed by ten.

Thousands of people are expected on the streets of London to see Mr Mandela, whereas the average state visitor barely earns a second glance. But on at least one occasion his legion of admirers will have to be up with the lark to catch him, when he plants a tree in St James's Park at 7.30am tomorrow. His early hours have also meant that tonight's state banquet has been brought forward by half an hour to ensure that it ends by 10pm.

Mr Mandela was due to arrive in London on a flight from Johannesburg late last night, and to spend his first night in Britain privately at the Dorchester to recover. Accom-

panied by his married daughter, Princess Zweni Mandela-Dlamini, the President will spend the rest of his stay in the even grander surroundings of the Belgian Suite at Buckingham Palace.

The ground-floor suite consists of two double bedrooms with bathrooms and a connecting sitting room. It overlooks the secluded palace gardens and staff have been told to expect to find their distinguished guest strolling on the lawn before most of London is awake.

Mr Mandela's visit begins officially at 12.40pm today, when he arrives by car at Horse Guards Parade to be met by the Queen and the Duke of Edinburgh. The stands erected for Trooping the Colour are open for the expected crowds.

The Queen and the President then make the traditional carriage drive down The Mall to a private lunch with members of the Royal Family at Buckingham Palace. During his visit Mr Mandela will meet every senior member of the family except the Princess of Wales.

WHERE TO SEE PRESIDENT MANDELA

TODAY: Official welcome on Horse Guards Parade, 12.40pm. Spectators admitted between 11.30am and noon; ample free seating. Immediately followed by carriage procession in The Mall to arrive at Buckingham Palace gates, 1pm.

TOMORROW: Tree planting in St James's Park, 7.30am. Arrival at Downing Street, 11.30am.

THURSDAY: Arrival at Westminster Hall, 11am. Arrival at Royal Albert Hall, 7.30pm.

FRIDAY: Arrival at Brixton Recreation Centre, Brixton Station Road, 10.15am, followed by walkabout if crowds permit. Walkabout in Trafalgar Square beginning at 11.40am, followed by balcony appearance at South Africa House at about noon.

This afternoon, he will spend 25 minutes having tea with Queen Elizabeth the Queen Mother at Clarence House, before crossing the road to receive an address of welcome from the Lord Mayor of Westminster in St James's Palace.

In common with other state visitors, Mr Mandela will lay a wreath at the Tomb of the Unknown Soldier in Westminster Abbey at 5.50, before returning to Buckingham Palace for the state banquet with 200 guests.

Tomorrow Mr Mandela receives an early call at the Palace from

Tony Blair, before addressing a Conference of British Industry conference on investment in South Africa at the Barbican. Business is high on the President's agenda, with Britain the largest single foreign investor in his country, and exports from Britain at £1.8 billion a year and rising. The topic will arise again when Mr Mandela moves on to Downing Street for talks and lunch with John Major and senior government figures.

Tomorrow afternoon's event has no precedent and has had the Lord Chamberlain and his protocol ex-

perts pondering over the correct procedure. So many universities want to confer honorary degrees on Mr Mandela that a unique mass graduation is being staged at the Palace, with the chancellors of Oxford, Cambridge, London, Bristol, Nottingham, Warwick, De Montfort (Leicester) and Glasgow Caledonian queuing up to bestow their honours.

That evening Mr Mandela attends a banquet at Guildhall and receives the honorary freedom of the City of London. He is in the City again next morning, for a working

breakfast at the Bank of England, again in pursuit of inward investment for South Africa.

He will then address both Houses of Parliament, the first visiting head of state to do so in the historic confines of Westminster Hall since President de Gaulle in 1960.

There will also be a return lunch for the Queen at the Dorchester, a meeting with Paddy Ashdown and a concert at the Royal Albert Hall featuring Tony Bennett and Quincy Jones, playing the big band music popular in South Africa when Mr Mandela first went to prison, and a clutch of eminent South African musicians including those who performed with Paul Simon on his bestselling *Graceland* album. The concert, already a sell-out, will raise more than £300,000 for projects among young people in South Africa similar to those run by the Prince's Trust in Britain.

On Friday, the people get their chance to see one of the world's

most charismatic statesmen, but not before he has had breakfast at the Palace with the Most Rev Trevor Huddleston, the veteran anti-apartheid campaigner. In the morning he goes with the Prince of Wales to Brixton to see the work of the Prince's Trust. In a planned walkabout afterwards, he is likely to be mobbed. He then returns to Trafalgar Square and goes walkabout again in the direction of South Africa House, the scene of so many demonstrations demanding his release.

The state visit will end with a triumphant appearance by Mr Mandela, the first South African President to make a state visit to Britain, on the balcony of South Africa House. For a few brief and glorious minutes, he is likely to bring London to its feet, and to a standstill.

Dennis Worrall, page 18
Leading article, page 19
Focus on South Africa, pages 32, 33

When the Black Pimpernel came to dinner on secret trip

MARY BENSON, 76, a friend of President Mandela since the early days, told yesterday how she gave him a guided tour of London in 1962, when he was the "Black Pimpernel", leader of the ANC's underground struggle and South Africa's most wanted man.

"One Thursday evening in June 1962 I was expecting Oliver Tambo, then vice-president of the ANC, for dinner, but when I opened the door there was Nelson Mandela standing beside him. I can't think what I gave them to eat, because I am a very indifferent cook, but it was quite an extraordinary evening. My flat is tiny, about ten feet by ten, and Mandela was pacing up and down, talking about the tour of Africa he had made after being smuggled out of South Africa.

"He had been visiting the different countries raising support and funds for education, and getting some military training, though he never in fact made any use of that. He talked so excitedly and with such enthusiasm, it was unforgettable."

Ms Benson, an author and journalist who had been close to many of the senior ANC figures from the start of the anti-apartheid movement, was born in Pretoria. She had



In 1962 South Africa's most wanted man arrived on the London doorstep of the journalist Mary Benson. She recalls their meeting to Robin Young

worked for the Treason Trials Defence Fund in Johannesburg before the London meeting with Mr Mandela.

She continued: "The following Sunday, June 17, he had a day off and his friends Freda and Leon Levson took him sightseeing. I went along with my camera. We did a tour of Westminster. He was in a mood of tremendous exhilaration. We could not go inside the buildings. Parliament was closed, and there was a service in the abbey."

"He had to be cautious because he was a wanted rebel, and it was supposed to be a secret visit, but he was delighted to be taken to Westminster and to have his photograph taken outside Parliament with a statue of Oliver

Cromwell in the background. In his own memoirs he says he shared a joke with Oliver Tambo about the statue of General Smuts in Parliament Square, saying that perhaps some day they would have their own statue there instead."

"In fact that must be a mistake because Oliver was not with us that day. It may have been something they said to each other later, or a joke that we made together because I have always thought Smuts looks as if he is ice-skating."

"If the nation does decide to put a statue to Mandela on the spare plinth in Trafalgar Square, I think Mandela should be dancing, boxing or perhaps playing tennis. He was dancing in 1962 while he was in London because he said

that for the first time he felt free. He loved boxing as a young man, and he played tennis while he was on Robben Island."

Ms Benson said Mandela's visit was so secret it was even unknown to Oliver Tambo's wife. "Mrs Tambo told me how surprised she was. It was really very hush-hush."

Mandela was captured in Natal in August 1962, two months after returning to South Africa from his London trip, and imprisoned in November that year for inciting African workers to strike and for having left the country illegally. Ms Benson returned to South Africa in 1964 to report on the political trials but was placed under house arrest and a banning order in 1966. After leaving the country she was not allowed to return again until 1990. She received two letters from Mandela while he was in prison thanking her for her support and has entertained his daughter and his grandson on their visits to London.

Her memoirs, *A Far Cry*, have just been reissued and her biography, *Nelson Mandela: The Man and the Movement*, was published in 1994. She will meet President Mandela again at a tea party for South Africans on Friday.



The outlawed ANC leader outside the Houses of Parliament in June 1962

Daughter joins the President's men on tour

FROM INGO GILMORE IN JOHANNESBURG

PRESIDENT MANDELA'S personal entourage for his visit is the largest to accompany him on an overseas trip. It includes Cabinet ministers, media officials, protocol officials, four aircrew, five bodyguards, not to mention a daughter. Also with him is a delegation of businessmen.

Princess Zweni Mandela-Dlamini, 38, his eldest daughter by his ex-wife Winnie, will stay with him at Buckingham Palace and be at his side at official functions.

The wife of a Swazi prince, she accompanied him at his inauguration in May 1994 but recently Rochelle Mthara, a young cousin, has been a regular escort. According to the President's office, they accompany him in rotation.

Also in close attendance will be Jakes Gerwel, the Director-General of the President's Office, a former rector of the University of the Western Cape. The presidential spokesman with the party, Parks Mankahlana, is refreshingly candid. "Look, the president makes my job easy," he said last year. "He's a highly marketable product."

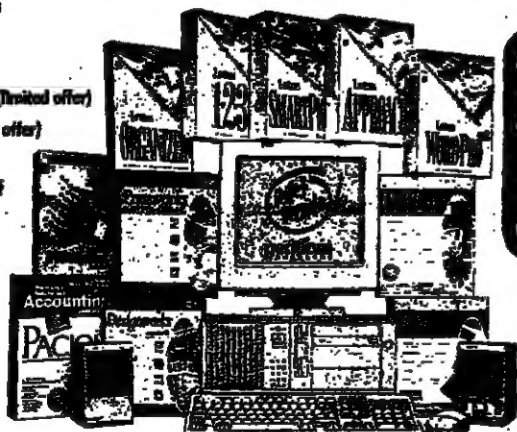
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Limits to be set on health hazards in environment

By JEREMY LAURANCE, HEALTH CORRESPONDENT

A TWO-PRONGED drive to reduce the damaging effects of the environment on human health was launched by ministers yesterday.

Targets for reductions in areas including air pollution, noise levels and radon gas in domestic homes will be set under the Health of the Nation strategy which marked its fourth anniversary yesterday.

Stephen Dorrell, the Health Secretary, said that targets would not be set immediately, but would follow consultation which, although there was no timetable, would be completed in months rather than years.

In a separate move John Gummer, the Environment Secretary, launched a national environmental health action plan that identifies 150 measures to be taken to improve environmental health. Areas of concern include housing, transport and industry as well as specific hazards such as pollution, radiation and food contamination.

The Government's environmental health programme was attacked last night by Friends of the Earth, who said Britain was unlikely to reach scores of targets agreed 12 years ago with the World

Health Organisation. Research, commissioned by the group and carried out by the South East Institute of Public Health, shows that on areas such as food-borne disease, air pollution and soil pollution the Government is unlikely to complete the improvements by the 2000 deadline.

Mr Gummer said the plan announced yesterday was the first in Europe and would be used by the World Health Organisation as a model for other countries. "We will ensure that we have a proper

Unchecked pollution 'will cause economic collapse'

THE world faces financial crisis unless swift action is taken to avert global warming, insurance experts will warn today (Nick Nuttall writes).

Increased incidence of storms, flash flooding, heat waves and disease are set to trigger insurance claims running into trillions of dollars. These are likely to prove impossible to meet, causing wholesale bankruptcies of in-

targeted progress to make advances in the environment that will have a specific pay-off in terms of people's health."

Mr Dorrell has again rejected pleas to include asthma deaths under the Health of the Nation strategy, but announced a £5 million research programme into the disease.

Asthma causes 1,700 deaths a year and many are believed to be the result of wrong treatment. Experts have called for the inclusion of asthma deaths as a Health of the Nation target since the launch of the

strategy in 1992. The strategy was the first attempt to set goals for the NHS measured in terms of improvements in health rather than numbers of patients treated. It set targets for reductions in 21 areas, from heart disease deaths to teenage pregnancies.

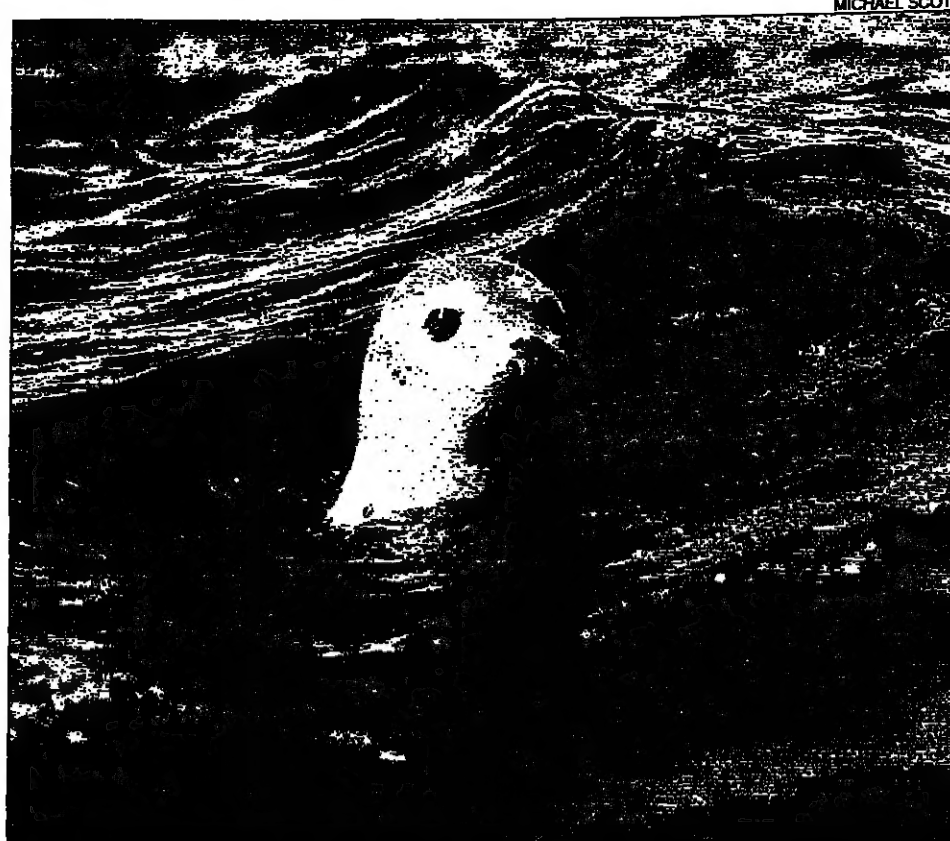
Yesterday Mr Dorrell said progress had been achieved in 18 of the target areas. Deaths from heart disease in under 65-year-olds have fallen almost 20 per cent, breast cancer deaths in women aged 50-69 are down almost 10 per cent and teenage pregnancies have dropped to their lowest level for 10 years.

However, obesity and teenage smoking were worsening. Smoking among 11 to 15-year-olds rose to 12 per cent in 1994 — the target was 6 per cent. Yesterday the Health Department launched a £3 million advertising campaign which will seek to recruit teenage non-smokers to persuade their peers to stop.

Obesity has doubled since the 1980s with 13 per cent of men and 16 per cent of women classified as obese in 1994 compared to a target figure for 2005 of 6 per cent of men and 8 per cent of women.

Two injured grey seals which six months ago were thought to be too weak to survive were yesterday released back into the wild.

Gabriel and Ginola were released close to the Farn Islands seal colony, off Northumberland. Simon Foster, the marine biologist who nursed them back to health, said: "I am delighted they are going back where they belong, but I



will miss them both. There have been some long hours and both nearly died on more than one occasion."

On Christmas Day he spent 16 hours with Gabriel, which had pneumonia, feeding it

Seals return to the wild

Two injured grey seals which six months ago were thought to be too weak to survive were yesterday released back into the wild.

milk through a dropper every two hours. "The crunch was when they were able to feed themselves without our help. That is when we knew they were safe to be released," Mr Foster said. "They have fat reserves that will last them for months until they get their hunting instincts back. I expect them to integrate back into the Farn Islands community quickly."

Tourists flee lusty corncrake

By MICHAEL HORNSBY

CONSERVATION of the corncrake, one of Britain's rarest birds, is proving so successful that it could threaten the tourist trade on the Western Isles of Scotland.

Holidaymakers who rented a house on the Isle of Lewis recently packed their bags and demanded their money back after complaining of being kept awake all night by the raucous call of the male birds, according to the local press.

But islanders and tourist officials claimed yesterday that far more people came to the Western Isles in the hope of hearing corncrakes than were turned away by them. Graham Sinclair, who manages the Uig and Hamanavay sporting estate on Lewis, said there were three pairs near his house: "They certainly can keep you awake. We had a couple of friends to stay recently and one of them could not take the noise."

Scottish Natural Heritage, which runs a corncrake conservation programme with the RSPB, admitted to receiving a few complaints but insisted that many more people said they enjoyed the sound, which has been likened to a football rattle. It is loudest when the males are seeking a mate.

NEWS IN BRIEF

RAF court martial is halted

The court martial of an RAF pilot was halted after an SAS witness was seen talking to members of the court panel as he waited in the court's retiring room.

The trial at RAF Lyneham, Wiltshire, of Flight Lieutenant Richard Bywater, 32, was adjourned and will be dissolved at a later date because of "a serious material irregularity".

The pilot has admitted parachuting from his plane with SAS troops over Zimbabwe last year but denies acting wrongfully. The SAS soldier was to have given evidence from behind a screen about the jumps.

Extradition bid

Hampshire police have begun extradition proceedings for the return of Victor Farrant, who is being held in a French jail. He is wanted for questioning over the murder of his girlfriend in Southampton and an attack on another woman, Mr Farrant, 46, was arrested in Nice after being spotted by a British tourist.

Death ruling

A 30-year-old man who has been in a persistent vegetative state for three years is to be allowed to die, the High Court has ruled. The man, referred to as W, was found with severe brain damage — the cause of which has never been discovered — outside a hospital in 1993. A specialist said he was "a body without a mind".

Sentence upheld

A diabetic driver jailed for six months after he killed another motorist when he blacked out at the wheel could have "reasonably foreseen" that he might have an attack, a Court of Appeal judge said yesterday. Lord Justice McCowan dismissed an appeal against sentence by Lee Marison, 23, of Mildenhall, Suffolk.

Into the deep

The owners of a quarry in Tidenham, Gloucestershire, which is running out of stone are planning to turn the site into Britain's deepest artificial diving centre. The 330ft deep hole would provide scuba diving facilities with the cliffs above used for climbing. The plans also include a hotel and training centre.

Brief encounter

A man found seven Roman coins in a boxed pair of new Marks & Spencer underpants. Peter Asprey, 56, of Corfe Mullen, Dorset, also found a note explaining how old the coins were. They have been valued at £30. It is thought that they were hidden in the box as part of a gift, which was then returned to the store.



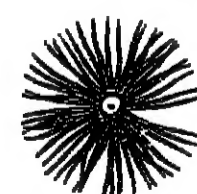
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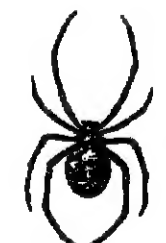
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Antiques dealer's son killed stranger over drugs debt

By Stewart Tandler, Crime Correspondent

THE son of a wealthy antiques dealer was jailed for life at the Old Bailey yesterday for stabbing a stranger to death in a case of mistaken identity.

Marc Mazure, 20, of Muswell Hill, north London, an old boy of Highgate School, was sentenced to life imprisonment for murdering Raymond Morgan, 26, last August on a north London street. He was mistaken for a drug dealer who had threatened Mazure.

As Mazure was led out of court he pointed two fingers at the public gallery and pretended to fire at the dead man's family and girlfriend, Frank Assine, 21, of Kilburn, west London, who was also in the gang, was sentenced to life.

Mazure's older brother, Robert, has admitted perverting the course of justice and assault linked to the attack. He is awaiting sentence.

The Mazures' father owns a West End antiques shop. Their parents are separated and Marc Mazure lived with his mother. He had been expelled from school at 15 for dealing in cannabis and had convictions for drug offences.

During the 17-day trial the court was told that he and a gang went out last August in Muswell Hill looking for a drug dealer called Curtis

Hunt. Mazure said that he had difficulty repaying Hunt £100 he owed for cannabis. As a result Robert had been beaten up. Hunt was then threatening to punish Marc because he had been seen talking to his girlfriend.

Mazure, who had smoked three cannabis joints, went with his accomplices to The Woodman public house which Hunt used in Highgate. Mr Morgan and his girlfriend, Claire Sinclair, 19, were walking home. Mr Morgan was thought to be the drug dealer: both men were black, wore smart clothes and glasses and both had white girlfriends.

Nigel Sweeney, for the prosecution, told the court: "Without warning they attacked Mr

Morgan. It was a short but fierce attack. He was taken across the road, subdued and held face down." Mazure rammed a sheath knife three times into his back. One wound penetrated 4in, passing through the left lung and damaging main arteries. Mr Morgan, unemployed, of Wood Green, north London, died almost immediately.

Mr Sweeney said that, if Mazure had killed Hunt, "that would have been bad enough, but a particularly appalling feature of this case is that a wholly innocent man ended up being murdered".

When the Mazures were traced, the family lawyer said that Marc would confess to murder if his brother was not charged with the killing. Police said that they never agreed to a deal and both brothers were charged with murder.

The Crown later offered no evidence against Robert just before the start of the first of two trials, after he admitted lesser charges. The confession was used in the first trial but not allowed in the second.

Three months before the murder Marc Mazure was questioned by police after he ran down and killed an elderly couple. He claimed he could not avoid them and no charges were brought.



Marc Mazure: went out looking for drug dealer



Yachtswoman enjoys calm after the storms

The record-breaking yachtswoman Samantha Brewster relaxing on her boat *Health* Insured yesterday as it lies becalmed off the Isle of Wight after her 247-day "wrong way" solo circumnavigation. "I feel great," she said, "really good."

Ms Brewster, 29, was welcomed by a flotilla of small craft as she waited for the tide to turn to enter Southampton, from where she began her trip last October. She crossed the finish line off the Cornish

coast last Thursday, becoming the first woman, and youngest person, to complete the trip against prevailing winds and currents.

Equipment failure forced her into Santos, Brazil, in early December. She set sail again on January 3 only to be

hit by a generator fuel shortage off West Africa on the home run.

A faulty battery was using more power than expected to run on-board communications and the auto-pilot and she was forced to conserve generator fuel by spending 14

hours a day at the helm. Eventually she decided it was impossible to complete a non-stop voyage by finishing in Santos, so she set course for Britain, facing another serious incident when one of her batteries was burnt out by an electrical fire.

It is the second time she has completed the "wrong way" route, but last time she was with 13 other crew members during the British Steel Challenge.

Parents fly to sick daughter's bedside

By a Staff Reporter

THE parents of a student who contracted a life-threatening infection while travelling alone around the world have flown to her hospital bedside.

Rachael Swindale, 19, was backpacking in a remote part of Thailand when she contracted a bacterial infection through a cut in her foot, which caused lung abscesses. She was taken to hospital 300 miles from Bangkok, where none of the medical staff spoke English, and admitted to in-

tensive care. All communication had to be conducted through an interpreter at the British Consulate in Bangkok.

Her parents have told family in Gosforth, Tyne and Wear, that she is off the danger list and no longer using a respirator. Miss Swindale's condition had been so serious that doctors advised against flying her to a better-equipped hospital in case her lungs collapsed.

Miss Swindale is likely to return home within a fortnight.

Tony Blair widens his street credibility

By Dominic Kennedy, Social Affairs Correspondent

TONY BLAIR has joined that select group whose names have become slang words. "Tony Blair's" has been included in *The Bloomsbury Dictionary of Contemporary Slang* as the in-phrase for flared trousers.

The Labour leader has benefited from the revival of flares by a generation too young to be familiar with the entertainer who gave them the label "Lionel Blair's" in the 1970s. Before that, they were known as "Grosvenor Squares".

Mr Blair now joins Douglas Hurd (a third-class university degree) and Edward Heath (teeth; as in "a kick in the Edwards") in being immortalised

in rhyming slang. "Blair" has also become a verb. "To Blair" someone means to run them down, mock or humiliate them. Tony Thorne, author of the dictionary, said: "I'm quite stumped about the origin of that one."

John Major, like James Callaghan and Harold Wilson before him, has made no impact on street language. "It's a bit of a sad reflection that people didn't even think they were worth it," said Mr Thorne, head of the slang archive at King's College London.

Margaret Thatcher gets two entries in the dictionary's new edition, to be published next year. The £1 coin was known as a "Thatcher" because it was thick, universally unpopular and thought it was a sovereign. She also made "handbagging" the verb for

staunchly fighting one's corner. "You can't imagine anybody saying they were 'Major'd'," Mr Thorne said.

Lady Thatcher affected the language because she inspired hatred, Mr Heath because he provoked derision, and Mr Blair because he has charisma, he said.

"It's appropriate that he has become the name for a kind of trousers. There are certain staples of slang. The obvious things are sex and drink. But there are many synonyms for trousers." "Pants" is currently an adjective meaning unlucky, or bad news. "Strides", "kecks" and "bags" are vague words for trousers.

British homegrown slang is enjoying a huge revival, largely with words coming from black gangs and moving into the nation's youth culture. "It has

spread through the underground telegraph system so that kids in parts of the country who have never seen an Afro-Caribbean are using quite sophisticated or controversial parts of their language," Mr Thorne said.

The black British words include "mammy", "mashed up" and "butters", all meaning ugly or unpleasant; "seen", an acknowledgment; "duss", "dust", "shit" and "shackout", meaning run for it.

Slang words fade but never die. "Paraffin lamp" and "penny stamp" are the vague words for the homeless. Both were everyday objects the last time the streets of Britain had so many tramps. A "Gregory" still means cheque, although few adolescents remember the film star Mr Peck.

Trial jury urges clemency for jail escapers

By Richard Ford, Home Correspondent

A JURY that convicted two inmates of escaping from Parkhurst top-security prison urged the trial judge yesterday to show clemency when passing sentence on them.

The jurors made their appeal after hearing the two men, both convicted murderers, claim that they were so depressed they would have committed suicide had they not fled.

Keith Rose, 47, and Andrew Rodger, 45, escaped from Parkhurst on the Isle of Wight in 1995 with Matthew Williams, 27. They broke out using a copied pass key, wire cutters and a makeshift ladder, and spent five days on the run with the help of £300 from one of the jail's drug barons.

The escape, the second from a top-security jail in four months, led to the removal of the governor, John Marriott, and the sacking of Derek Lewis as director-general of the Prison Service.

Rose told Woolwich Crown Court that he had been cast into the "blackest despair" after the Home Secretary scrapped the 20-year tariff he was to have served for the murder of a businessman's wife and ruled that he should spend the rest of his life in jail. Rodger said that he felt the same when his tariff for killing a nightwatchman was increased from 12 to 17 years.

The jurors asked the judge to show both men "extreme clemency". They also recommended that Rose be allowed a retrial on the murder conviction, which he has spent years trying to overturn.

Rose and Rodger, who denied "breaking prison", showed no reaction as they were convicted but nodded and smiled at the jury as they heard the recommendations.

Judge Hubert Dunn will sentence the two today. He said that he would take the jury's recommendation into account but had no power relating to Rose's murder conviction.

Williams, who pleaded guilty, will be dealt with after the preparation of a psychiatric report.

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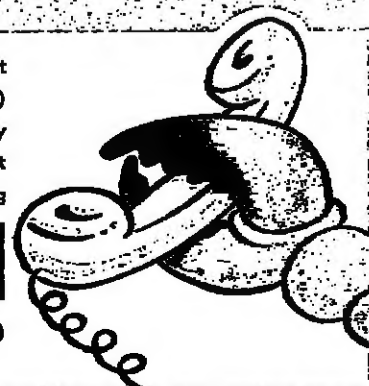
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Expert urges stalking ban to defend terrified victims

By JEREMY LAURANCE, HEALTH CORRESPONDENT

SEVEN in ten victims of stalking have shown symptoms of post-traumatic stress disorder, and one in four had contemplated suicide, a psychiatrist said yesterday.

Paul Mullen, Professor of Forensic Psychiatry at Monash University, Melbourne, who has analysed more than 80 stalking victims, believes that Britain should introduce a law to ban stalking to protect the victims and help the perpetrators. He said that stalkers may be cured of their obsessive behaviour if they are compelled by the courts to have treatment, and that is the best way to protect their victims.

Professor Mullen, presenting the results of the largest study of the victims of stalking to an international meeting of psychiatrists in London, said that stalkers commonly harassed their victims by sending flowers, chocolates, pizzas and pornographic magazines. One woman was sent a be-headed cat, another a pig's head with a threat nailed to it, and two were sent voodoo dolls impaled with pins. More

than half the victims had been threatened and a third had been physically assaulted, Professor Mullen said. Many of the assaults were serious, involving violence and the use of weapons such as knives.

Professor Mullen said a law banning stalking introduced in Melbourne a year ago was having a significant effect. More victims were seeking help and more stalkers were being sent for treatment.

Similar laws have been introduced in the United States. They were also recommended in England by a judge of the King's Bench Division in 1988 but nothing was done. "It seems a little slow," Professor Mullen said.

The survey showed that the commonest group of stalkers were rejected ex-partners. "They had an intimate relationship and cannot believe they have been rejected. They rage at it and either try the relationship in an incompetent way or seek revenge."

Another group had suffered a slight at work and picked on a colleague, normally a superior, to express their anger. A

third group suffered from erotomania, a delusional infatuation which led them to believe they were really loved by their victim. A fourth group were the "mega-gauche" — according to Professor Mullen — social inadequates who were seeking a relationship but did not understand that stalking was not the way to obtain a partner.

Not all the victims were women. Men were also stalked, sometimes by women and sometimes by other men. Professor Mullen found eight cases where women were stalked by other women.

"The motive is not always sexual. One of the most persistent women stalkers was looking for the ideal friend. She was heterosexual, but she stalked other women because she was looking for a sort of mother figure."

Professor Mullen found that a third of victims did not know their stalker, a third were former partners and a third had met at work. Victims commonly changed jobs to evade their stalkers. Former partners were those most like-

ly to be assaulted. Professor Mullen said: "There is also a very dangerous, predatory group which, fortunately, is rare. These are people who take a sadistic pleasure in the fear they produce. They may well go on to make a sexual or violent attack."

Legal sanctions against stalking helped by expressing social disapproval of the behaviour — which caused many would-be stalkers to back off — and meant that those brought before the courts could be sent for assessment and treatment, Professor Mullen said. In the United States and Australia the law forbids repeated attempts to follow someone that cause the victim to fear for their safety, regardless of the intent of the stalker. British lawyers insist that any law should be framed around the stalker's intent.

Plans to jail stalkers who harass and pursue their victims will be unveiled by the Government this week. A consultation paper is expected to urge maximum prison sentences of five years and fines of up to £5,000.



Alex Kingston, who will be starring in an ITV production of *Moll Flanders*

Emma and Moll take on BBC in classic fight

By PETER FOSTER

TELEVISION'S passion for literary classics is to continue unabated. Adaptations of works by Daniel Defoe, Joseph Conrad, Anne Brontë and Jane Austen will be competing for viewers as ITV and BBC square up for a battle of costume dramas this autumn.

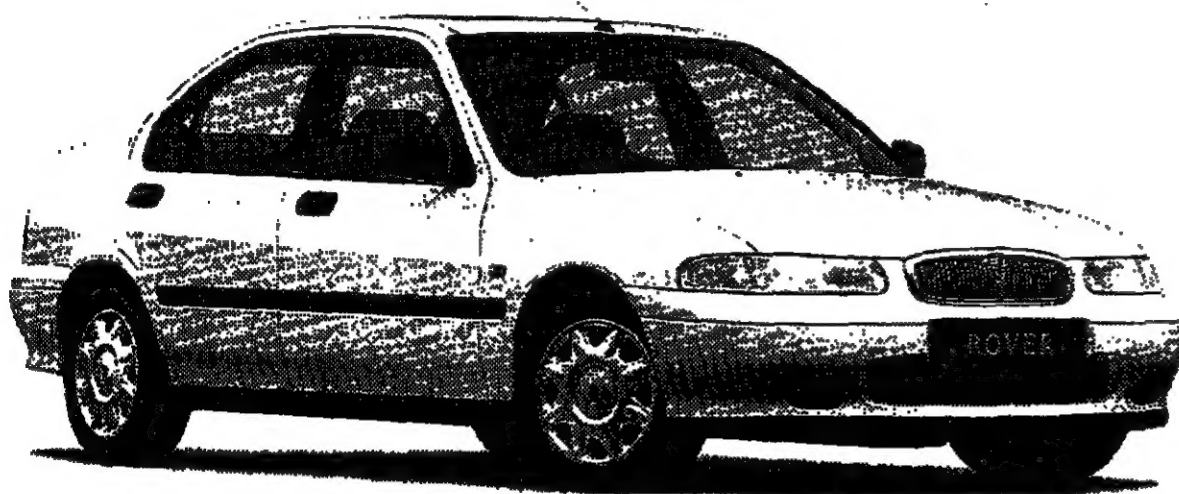
Following the success of the BBC's serialisation of Austen's *Pride and Prejudice* last year, ITV has made a two-hour film of *Emma* at a cost of £1.5 million. The adaptation has been produced by a team poached from the BBC and stars Kate Beckinsale in the title role.

ITV has also commissioned a four-part adaptation of Daniel Defoe's *Moll Flanders*. In reply, the BBC has adapted Conrad's political novel *Nostromo* and Brontë's morbid *Tenet of Wildfell Hall*.

A spokesman for BBC drama said: "We see it as a form of flattery that ITV is not unashamedly popular."

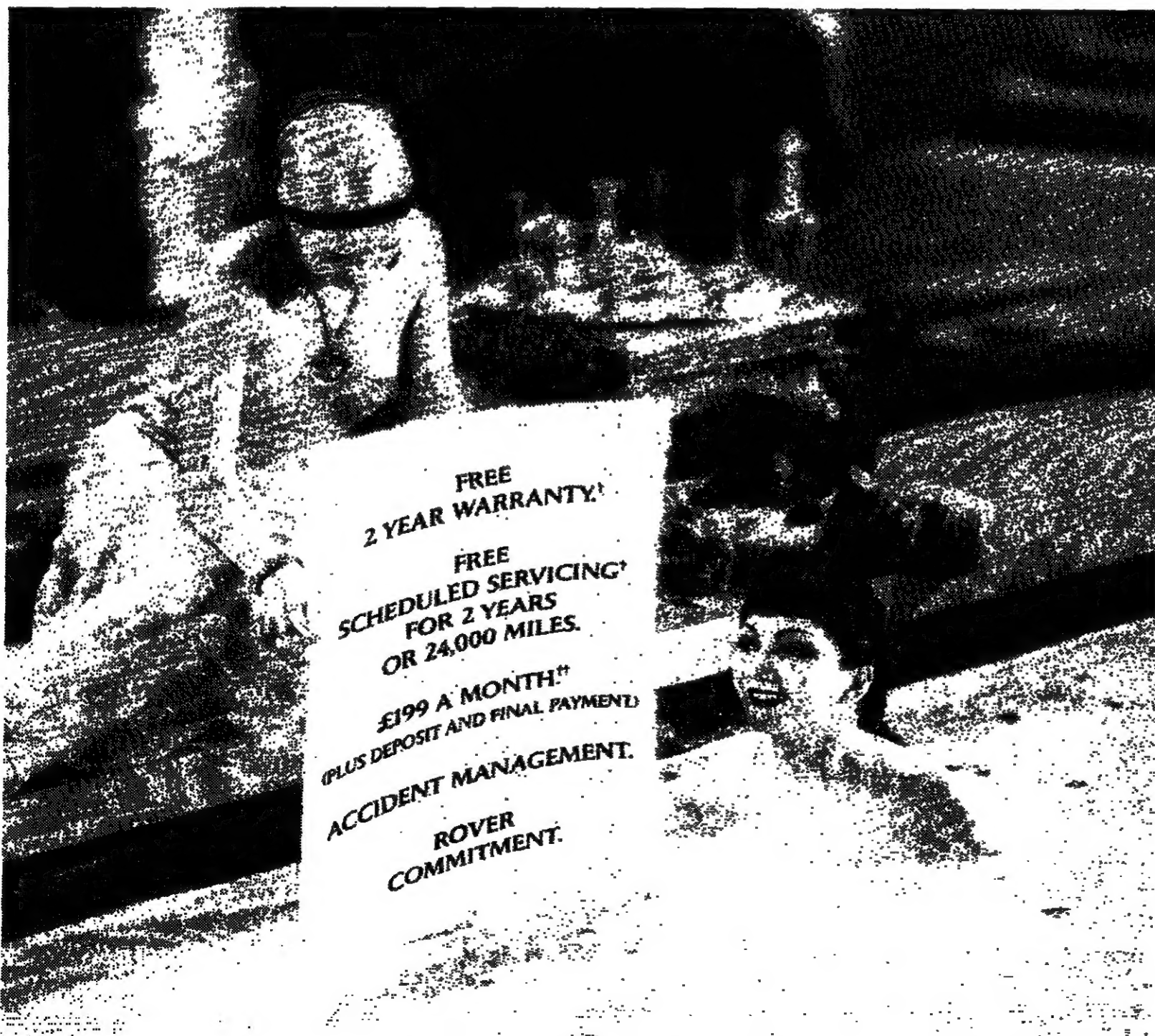
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Hamilton was not mentally ill, inquiry told

By GILLIAN BOWDITCH, SCOTLAND CORRESPONDENT

THE gunman Thomas Hamilton was not mentally ill, the last witness to the inquiry into the Dunblane massacre told Lord Cullen yesterday.

John Baird, a consultant forensic psychiatrist and a former senior doctor at Carstairs, Scotland's hospital for the criminally insane, said that Hamilton had a personality disorder and was a paedophile.

Hamilton showed psychopathic and paranoid traits, but not to extremes, before he massacred 16 children and their teacher on March 13. Dr Baird did not believe Hamilton was suffering from mental illness. He said that paedophiles were often known to be plausible and manipulative. It was highly unlikely that a psychiatrist examining Hamilton prior to the massacre would have been alerted to what he was planning.

Dr Baird, who interviewed Hamilton's mother and looked at the killer's correspondence, said that Hamilton's main goal when he started the massacre was to commit suicide; it was his "single specific intention". He also planned meticulously to ensure that he could commit suicide before being overpowered. He had used a different gun to kill himself. "He appears to have taken pride and almost to have enjoyed the preparation for his crimes," Dr Baird said.

The killing of children could have been some "general act of final revenge". Once he began killing his actions appeared random. There was no indication that he relished the shooting or wanted to prolong it. There was also no reason for him to kill himself when he

did, apart from the risk of someone arriving to prevent his suicide.

The inquiry also heard from a parent who had organised a petition in support of Hamilton. James Williams, whose sons attended Hamilton's club, told of how Hamilton had once reprimanded him for drying a boy's hair on a swimming trip.

Mr Williams said that once, while he was helping out at the club, he went to comfort a boy who was being bullied. Other children had thrown the boy into the swimming pool and he was crying. Mr Williams began towelling the boy's hair. "Tom Hamilton said to me, 'Never do that. You touch that boy. It gets back and you leave yourself open to accusations of abuse.'"

Mr Williams said that after Central Regional Council moved to stop Hamilton using school premises in 1983, he collected 70 signatures supporting Hamilton. The petition stated: "We are all proud to have Mr Thomas Hamilton in charge of our boys."

Mr Williams said he had gone to inspect Hamilton's club, at Dunblane High School, after his boys said they wanted to join. The children had been warned at assembly to avoid the boys' club but this only aroused their interest.

He said he had heard rumours about Hamilton being a pervert and confronted Hamilton, but he could find nothing wrong. He said Hamilton had trouble communicating with adults, but he found that he could talk to him.

The inquiry is due to end tomorrow and Lord Cullen will submit his report by the end of September.

Sanctuary man must wait over Irish move

By TIM JONES

AN ILLEGAL immigrant who sought sanctuary in a Cornish church faces a further week in detention while the Irish Government decides if he can live there with his British-born wife and daughter.

Albert Tong, 43, who has lived in Britain for 17 years, had a heart attack last month as he was arrested by police in Marazion Methodist church, which had given him refuge for two weeks.

Yesterday Mr Justice Kay adjourned for seven days his application for a judicial review against a deportation

order saying he hoped the delay would force the hand of the Irish Attorney-General into making a quick decision.

Mr Tong arrived in Britain from Hong Kong in 1979 with a passport proclaiming him to be a British subject, a citizen of the United Kingdom and Colonies. He has lost two recent applications to be allowed to live in this country.

Because of his deteriorating health, he decided to abandon his campaign to live in Britain and now wants to settle in Dublin where his wife is working.

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Major hopes MPs will vote for 3% in pay rise deal

By ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

JOHN MAJOR will try to persuade MPs to limit themselves to a 3 per cent pay rise by offering them the chance to keep their most lucrative perk: motor allowances of 72p a mile.

In return for turning down a suggested increase of £9,000, the MPs will be allowed a free vote on a parallel recommendation to reduce the mileage allowance from which some of them claim up to £20,000 a year.

The pay increase was recommended last week by the Senior Salaries Review Body. Its report also said that the 74.1p per mile top mileage rate should be cut to 47.2p. Tony Newton, Leader of the Commons, will call on MPs to limit their pay rise but suggest that they can keep their present mileage rate.

However, the plan for a free vote on one of the key parts of the review body's report opens up the possibility of MPs supporting the £9,000 pay rise and rejecting curbs on their mileage claims.

The debate in the Commons tomorrow night will be followed by a complex series of

votes under which MPs will decide separately on their pay rise, pension changes, car allowances, office allowances and ministers' pay, which the review body suggested should rise by up to £34,000. The Government is expecting ministers and their parliamentary aides to follow Mr Newton's lead.

It is likely that senior Labour MPs will follow Tony Blair in calling for a 3 per cent pay rise, although several frontbenchers are expected to press for the review body's recommendations to be accepted in full.

MPs are feverishly calculating whether they will be better off if the £9,000 pay rise is set against the big cut in mileage allowances. Michael Stern, a Tory and an accountant, estimates that he will take home only a few hundred pounds more a year if the allowances cut and pay increase are approved.

MPs travelling the longest distances claim that even with the £9,000 pay rise they will hardly be better off if the top mileage rate is cut. They can claim the top rate for the first 20,000 miles if their car engine size exceeds 2.3 litres. Lower rates apply to those with smaller cars.

Mr Stern, MP for Bristol North West, estimates that he drives 23,000 miles a year on parliamentary business in his constituency and in travelling to and from the House of Commons. He claims about £1,500 a month for the mileage he clocks up in his 2.5-litre Rover and a 1.8-litre Daihatsu. "That just covers my overall costs, but other years I have lost out," he said.

Mr Stern, who advises several colleagues on their tax

affairs, predicts that his mileage claim will be cut by about £4,500 a year, while his salary increase of £8,915 will be reduced after tax to a net £5,350. "Some of us are going to get an enormous amount of criticism for an overall rise of less than £1,000."

Many MPs in Wales, the West Country, the North and Scotland claim higher mileage allowances and Mr Stern predicts that some will cheat if the rate is reduced. "In my experience as an accountant, I would confidently predict that a number of MPs would be tempted to increase the mileage to make up for some of the reduction."

However, MPs may find it tougher to sneak through higher mileages. The review body report also called for "tight and effective controls of a fully vouched claims system", adding: "We are not persuaded that this is currently the case."



Tony Blair, right, congratulating Caroline Burton on her marriage to Brian McDonald in Trimdon, Co Durham, on Saturday. The bride's father, John, is Mr Blair's agent

Dorrell's speech will emphasise shift to the right

By ANDREW PIERCE, POLITICAL CORRESPONDENT

THE Health Secretary will suggest measures to break local authorities' monopoly on social services today in a speech that will strengthen his claim to the Tory centre ground.

Free-marketisers will be delighted by Stephen Dorrell's call for more local authorities to transfer control of old people's homes to trusts and for a greater role for the private sector and charities.

Mr Dorrell, once seen as a prominent leadership challenger on the Tory Left, will emphasise his recent shift to the right by urging a more arms-length approach by councils to try to cut bureaucracy, save money, and deliver a better service.

His speech, to a conference organised by the Tory think-tank Politica, will reinforce the suspicion in some circles that an unofficial Tory leadership contest is under way.

Mr Dorrell will move further to the right than his predecessors in questioning the role of local authority social services. He will argue

for an end to the system whereby most local authorities have a monopoly over the delivery of care for the elderly and children, citing counties such as Lancashire, where it has been estimated that better use of the independent sector would save the county council almost £11 million a year.

Last night Michael Forsyth, tipped by the Right as a future leadership contender, made his strongest attack so far on Labour's devolution proposals. In a speech to the Conservative Political Centre, the Scottish Secretary said that the biggest danger posed by Tony Blair was the break-up of the United Kingdom.

"What we will never do is damage the Union for any reason, least of all for party advantage," he said. "Every one of the UK's constituent nations would be hugely diminished by the fragmentation of the Union."

He added: "Devolution spells disaster for Labour. It destroyed the last Labour government and it is destroying the Labour opposition."



Newton: will appeal for pay restraint

Why taxes need to be raised, not reduced

Taxes should be raised in the next Budget. Since there has to be a general election by next May, this will not happen: and neither major party is likely to be frank about Britain's persistently high level of public sector borrowing.

Kenneth Clarke will confirm this morning that public borrowing is yet again heading for an overshoot, probably of at least £5 billion in 1996-97, pushing even further back the date of a balanced budget. It is, of course, possible to point to the continued growth of public spending and the relaxation of controls before the last election. But that is not the reason for the borrowing overrun now. The immediate problem is on the tax side. Revenues have fallen several billion pounds short of expectations. Some of the gap is because of slower than forecast economic growth. But some of the shortfall, possibly at least half, reflects still unexplained structural changes in the tax system. VAT receipts are much less than expected in view of the level of economic activity and taxes from companies are also less than previously estimated.

Whatever the causes — and Labour is right to press Mr Clarke for a fuller explanation today — public finances are clearly out of balance. Looked at one way, the tax increases of the early 1990s were not enough to eliminate the serious structural deficit. Put another way, taxes have already been cut substantially, albeit not announced by the Chancellor but taken by companies through exploitation of the tax system and avoidance. This may benefit natural Tory supporters but hardly in the way party strategists are planning.

The gap in public finances needs to be filled if the structural Budget deficit is to be eliminated by the end of the century: as it should be. Not only is there is no scope for income tax cuts, but family policy should be tightened. The money cannot all be found on the spending side. Tax loopholes need to be removed, while the tax base should be broadened, notably by widening the scope of VAT

RIDDELL ON POLITICS

rather than by any rise in rates.

There is limited scope in the short term to reduce spending much below existing planned levels, and there are plenty of upward pressures. Of course, it is always possible to find a couple of billion pounds by squeezing running costs, and some by increased asset sales, cutting capital programmes and creative accounting. This may enable Mr Clarke to finance some cosmetic tax cuts. But, at best, that would mean deferring action on reducing the deficit, even if Mr Clarke succeeds in safeguarding his reputation as a responsible Chancellor by not making the position worse.

Mr Clarke has always been candid about the fiscal constraints he faces and about how hard it will be to reduce public spending much below 40 per cent of national income. But he now needs to explain how he will remove the remaining structural Budget deficit and to contain spending pressures. Labour also needs to be more open. Gordon Brown and Andrew Smith yesterday were exploiting Mr Clarke's discomfort to the full to press for answers about the "black hole" in public finances. That is the legitimate politics of opposition. But Government is more demanding.

At present, Labour is trying to have the best of both worlds, promising both a tough overall framework for borrowing and symbolic pledges of extra spending in politically popular areas. But the latter are irrelevant in the overall budgetary picture. It may be unrealistic to expect Mr Brown to reveal precise tax rates or the borrowing levels of a future Labour government now, when we do not know Mr Clarke's Budget plans for this November. But Labour should say, after today's Treasury forecasts, whether it believes fiscal policy needs to be tightened and how the party's aspirations can be fulfilled without raising spending and taxes.

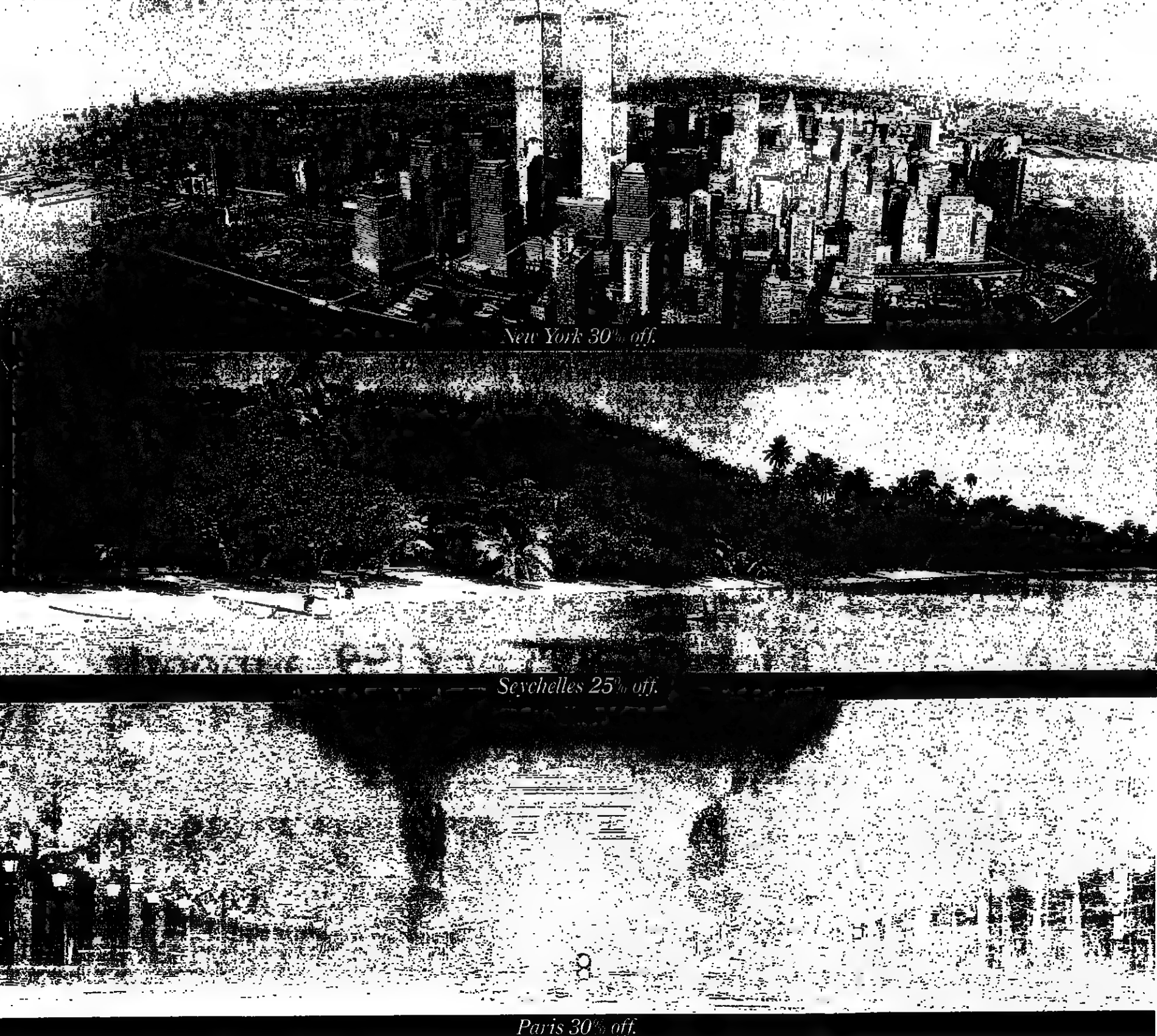
PETER RIDDELL

IN PARLIAMENT

TODAY in the Commons: questions to defence ministers and the Prime Minister followed by debates on water metering; the promotion of family friendly employment; and the harassment of British citizens in India, Bangladesh and Pakistan in the Lords: Stalking (No 2) Bill, third

reading; Nursery Education and Grant-Maintained Schools Bill, report; Pneumococcal (Workers' Compensation) (Payment of Claims) Amendment (Regulations); Local Authorities (Charges for Overseas Assistance and Public Path Orders) Regulations.

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Zagreb and Belgrade to swap war data

FROM REUTER
IN BELGRADE

CROATIA and Yugoslavia have agreed to exchange information on people detained and killed during their 1991 war. Information on people still missing will also be exchanged in a step towards normalising relations, a Yugoslav official said yesterday.

"We have taken a significant step forward. We are speeding up the solution to these burning issues," Pavle Todorovic, head of the Yugoslav Commission for Humanitarian Issues and Missing Persons, said. "The implementation of the agreements should provide answers to the destinies of thousands of missing, killed or imprisoned people," he added.

Under the agreement, Croatia will release all prisoners of war, possibly by August 20. At the same time Croatia has accepted that Yugoslavia holds no prisoners of war.

FROM ANTHONY LOYD
IN TUZLA

NEARLY a year after their disappearance, the remains of the missing men of Srebrenica are surfacing under the shovels of a United Nations team in eastern Bosnia as it begins work to exhume the latest war grave site and collate evidence on Europe's worst war atrocity since the Holocaust.

The 20-strong UN team, including forensic scientists and anthropologists, arrived at a roadside outside Cerska, a Serb-held area about 19 miles west of Srebrenica on Sunday. In May, they had visited the site and carried out a preliminary dig, uncovering human remains and bullet casings.

"We will concentrate on previously visited sites using heavy equipment," John Gerns, an American pathologist with the team, said. "During the excavation process we will expose the entire grave."

The Cerska site is located on an embankment bisected by a road. It is alleged that last July, Muslim men were made to stand at the roadside and were machine-gunned by Serbs, who used bulldozers to move earth from raised ground to cover the bodies.

So far, the UN team's work has involved marking off the



site, an area about 20 yards wide by 40 yards across. The team is using a mechanical digger for the first time and has also recruited a local labour force of a dozen Serbs, who were unhappy with the media attention.

Srebrenica, a UN "safe haven", fell to advancing Serb forces last July 11. The women and children were separated from their menfolk and allowed to walk across nearby front lines to areas controlled by Bosnian Government forces. The men disappeared.

A week later up to 3,000 Muslim soldiers fought their way out of Srebrenica, and brought with them tales of mass executions of prisoners. Their accounts were later corroborated by a handful of civilians who survived the handiwork of the Serb execution squads by hiding under

the fallen bodies. As many as 8,000 men are still missing, killed either as they tried to flee from the fallen town or later as prisoners. The survivors' testimonies implicated General Ratko Mladic, the commander of the Bosnian Serb Army, who was present at the scene of the mass killings.

The UN team, whose work is being screened from Serbs by a security net of United States troops in armoured combat vehicles, plans to unearth 20 other sites over the next three months, both in eastern Bosnia and in Croatia.

The sites related to Srebrenica include a field at Nova Kasaba, which US officials believe may contain up to 2,700 bodies, a reservoir spillway near Zvornik and a meadow at Pilice, where a Serb soldier, in custody at the international war crimes tribunal in The Hague, admitted taking part in the killing of hundreds of Muslim men there in a single day.

"For a year now we have waited in the hope that our men may still be alive," a woman refugee from Srebrenica said yesterday. "The digging now may answer the question of what really happened last year, but for us it means the end of that hope."



War crimes investigators search for a mass grave on an embankment in Cerska village, near Srebrenica

Arrest warrants 'soon' for Mladic and Karadzic

FROM BEN MACINTYRE IN PARIS

THE war crimes tribunal in The Hague is expected to issue international arrest warrants for Radovan Karadzic and General Ratko Mladic, the Bosnian Serb leaders, within days, bringing increased pressure on world powers to capture the two men.

The warrants, which tribunal judge Claude Jorda is expected to pronounce on Thursday, will cap more than two weeks of hearings in which Dr Karadzic and General Mladic, his military commander, have been accused of waging a campaign of genocide against non-Serbs.

The warrants will make it impossible for them to leave Bosnian Serb territory without risking immediate arrest and extradition to The Hague. "Even Belgrade will be off-limits," a spokesman for Human Rights Watch said.

The two men were indicted for genocide last July after the fall of Srebrenica. "Today, both Karadzic and Mladic remain fugitives from international justice," Mark Harmon, the prosecutor, told the court after citing evidence that they "instigated, planned and ordered the genocide and the ethnic cleansing in Bosnia". If the world failed to bring the two to justice "it will shame

us all", he said. At the weekend Admiral Leighton Smith, the US commander of Nato forces in Bosnia, said that if politicians ordered the arrest of the two men his troops would act. But he added that at present he would neither detain nor intimidate Dr Karadzic.

Over the past two weeks the court has heard a parade of witnesses testifying to the horror of the Serb ethnic cleansing campaign. On Friday, a man identified only as Witness A, described how he had escaped from one mass slaughter, which he said was witnessed by General Mladic, by hiding under a pile of bodies. The man said General Mladic watched "Serb soldiers bringing us there, lining us up and killing us".

Mr Harmon said that General Mladic had personally assured thousands of Muslim refugees that they would not be harmed. "There can be no doubt that both Karadzic and Mladic could have stopped this killing whenever they wanted."

Lawyers acting for Dr Karadzic have said that he is keen to demonstrate his innocence but will not agree to stand trial until he is assured of a "level playing field".



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THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY JULY 9 1996

South West Water chief gets £800,000 severance deal

By CHRISTINE BUCKLEY

BILL FRASER, the South West Water managing director who left the company earlier this year after a series of environmental accidents, took away a cash and share options package worth more than £800,000.

Mr Fraser resigned from South West Water in February — just before the publication of a report into water contamination that left 600 people ill in Devon. In August it had paid out £1.5 million in compensation to

100,000 households in the area that had to boil their water after a stomach bug was traced to its water treatment plants. Next month the company faces court action brought by the Department of the Environment resulting from the incident.

Michael Meacher, Shadow Employment Secretary, said he would demand an investigation by the regulator. He said the severance package destroyed the arguments of the company against a windfall tax, which Labour intends to levy on the

privatised utilities. He said: "There appears to be at least one employee in Britain who doesn't suffer from job insecurity."

The company, which also allowed a billion gallons of water to flow into the sea last summer at the height of the drought, has retained Mr Fraser as a consultant for £50,000 a year. South West, which faces two hostile takeover bids, levies the highest water charges, averaging £302 a year, about £100 above the average. It has more than doubled since

South West was privatised in 1989. Then the charge was £146.

Last year Mr Fraser's pay sparked a round of "fat cat" controversies in the water companies when it was revealed that it had jumped £67,000 to £164,000.

The company was last year challenged by Ian Byatt, the water regulator, on its "ability to manage its functions in an effective and prudent manner". It has failed to meet aluminium standards at its Tamar water treatment plant and

has been under a barrage of criticism over cleanliness standards of its beaches.

South West struck basic severance terms of £226,000 with Mr Fraser. Extra pension contributions of £100,000 were given along with non-cash benefits worth £10,000. He received his full salary of £109,000, a performance-related bonus of £9,000, other payments of £16,000 and a supplementary pension payment of £28,000. He is also entitled to exercise share options over

106,000 shares to February next year and more than 10,000 shares to July 1998. His total benefits, gauged at yesterday's share price, would top £339,000.

South West Water, which is facing hostile bids from Wessex Water and Severn Trent, yesterday revealed, with its annual report, that it will seek shareholder permission to mount a £20 million share buyback. But the buyback will largely hinge on South West remaining independent.

TONY WHITE

Easing of inflation lifts rate cut hopes

By JANET BUSH, ECONOMICS CORRESPONDENT

A DRAMATIC fall in inflation pressures in industry and continuing stagnation in the manufacturing sector could tempt Kenneth Clarke into another base rate cut later this month, according to City analysts.

The latest set of producer prices from the Office for National Statistics yesterday were hailed as excellent. The price of raw materials — known as input prices — plunged by a seasonally adjusted 1.3 per cent in June, the largest monthly fall since September 1993. This gave a year-on-year fall of 2.1 per cent, the first annual decline in input prices since early 1994.

Factory gate, or producer output, prices fell by an unadjusted 0.2 per cent, depressing the year-on-year rate to 2.6 per cent in May, the largest monthly fall since December 1991 and the lowest yearly rise since November 1994.

Rising producer prices were the main reason for the deterioration in retail price inflation last year and falling goods prices, Adam Cole, of HSBC James Capel, said. "With producer prices generally leading retail prices by six to nine months, the scene is set for pleasant inflation surprises in coming months," he said.

The team at HSBC is predicting another 4 point cut in base rate in the autumn, although some City economists yesterday argued that the Chancellor could use the producer prices figures, combined with a weak showing from manufacturing, as justification for a cut after the July 30 monetary meeting.

The ONS reported that manufacturing industry showed no growth in May, against City expectations of a small rise. In the latest three months, manufacturing was up 0.3 per cent on the previous three, and up 0.4 per cent on the same period a year ago. Industrial production, which includes energy production, rose 0.8 per cent in May, largely because of unseasonably cold weather.

The ONS estimated that, for the fourth month running, both total production and manufacturing were showing no underlying growth. The trend of manufacturing on its own has been flat for six months. Manufacturers are

still holding back production in the face of weak demand from key export markets in Europe and huge stockpiles built up last year when firms were caught out by slowing demand at home and then in Europe.

There is little sign that these twin pressures are easing. David Walton, of Goldman Sachs, expects manufacturing output to decline in both the second and third quarters until firms complete their stock adjustment, and this should keep the economy growing below trend until later in the year.

Simon Briscoe, of Nikko Europe, said: "The economy is suffering from more than a temporary spell of destocking blues. If the recovery fails to take hold, rates will be cut again as inflation falls."

Alex Garrard, of UBS Ltd, said that yesterday's figures would add to the temptation for Mr Clarke to chance a further rate cut later this month. But he added that the recent strength of consumer data least support to the view of Eddie George, Governor of the Bank of England, that manufacturing weakness was masking latent strength elsewhere. "With this in mind, Mr George may adopt a more robust stance against further monetary easing," he said.

The Treasury's Summer Forecast, published today, is expected to revise down the Budget prediction of 3 per cent growth to between 2.5 per cent and 2.75 per cent.



Starters: Keith and Jacqueline Fordum celebrate the start of dealings in Fordum Foods, which provides door-to-door deliveries of gourmet food dishes. The shares were placed at 3p on the Alternative Investment Market and ended the day at 3½p, after having touched 3¼p at one stage

Hanson writedowns will not affect demerger

By CHRISTINE BUCKLEY

HANSON, the Anglo-American conglomerate that is breaking itself into four, faces tougher industrial liabilities for its US coal business that will cut £70 million a year from profits.

Peabody Group, which will form part of Hanson's energy division to be spun off next January, has been hit by an extended timescale to fund provisions for illness and increased environmental costs. Payments to be made to the US Federal Coal Industry Black Lung and Abandoned Mined Land Funds total £1.2 billion.

Peabody and another US Hanson business — Cornerstone Construction and Materials — took writedowns totalling £2.9 billion after the group implemented a new US accounting standard. The book value of mineral reserves for Cornerstone Construction and Materials was cut by £2.3 billion to £1.3 billion, while the value of coal

reserves at Peabody was reduced by £600 million to £1.5 billion.

But the company said that no writedowns would have been made under the old standard and that the writedowns would not affect the demerger which it said would proceed on time.

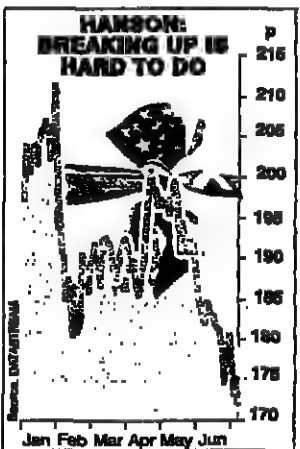
Millennium Chemicals and

Imperial Tobacco, the first two businesses to be separated, are on target for independence on October 1, although Hanson said yesterday that the deadline to issue shareholder information had slipped by a couple of weeks to the middle of August.

Hanson, whose shares weakened 0.5p to touch a six-year low, said the main costs of the demerger would be about £20 million. It has £4.5 billion in bank syndication.

Hanson's energy interests are to go under the name of the Energy Group and will include Eastern, the regional electricity company and generator. Hanson said yesterday that Eastern would average £50 million a year in post-tax earnings over seven years from power stations that it has bought from National Power and PowerGen.

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Negative equity release

By SARA MCCONNELL

HUNDREDS of thousands of people trapped in negative equity could be freed as soon as 1998, as house prices rise by an average annual rate of 6 per cent over the next four years, predicts Legal & General Investment Management. But such rises will not be sufficient to rescue those who bought in 1990 after the market started to slump in October 1989.

David Shaw, strategy manager at L&G and author of the group's first house price forecast since 1993, estimates that absolute price rises, including inflation, will peak next year at 7.5 per cent and continue rising modestly for the following seven years. Mr Shaw said: "This means that the vast majority of householders who are currently in negative equity could well be freed of this financial shackle by early 1998." An estimated one million people have homes worth less than the value of their mortgage.

BT to cut prices of international calls

By ERIC REGULY

BT is to slash its international call charges by as much as 23 per cent, saving customers more than £34 million a year.

The reductions will come into effect in September and will be available only on Saturdays and Sundays, when residential customers tend to make overseas calls.

BT's busiest routes will see the largest reductions. Prices of calls to the US and Canada, for example, will fall by 23 per cent, while those for calls to the Indian sub-continent will fall 21 per cent. Australia and New Zealand call prices will drop 15 per cent. The least busy destinations, such as Africa, will qualify for reductions of only 5 to 9 per cent.

The cuts are part of BT's commitment to cut overall prices by the inflation rate, less 7½ per cent, each year. The formula has saved customers £1.3 billion over the past three years, making the UK one of the world's least expensive telecom markets. BT can reduce prices wherever it

wants and has gone the farthest on international calls because of the intense competition in that area.

Dozens of operators, ranging from AT&T, America's largest long-distance carrier, to tiny discounters have been given licences to compete with BT. Their growth strategy is based almost entirely on offering cheaper prices.

Discounters such as Swiftcall and ACC Long Distance have been promising charges that can be 50 per cent less than BT's charges. Such companies lease large voice circuits from large operators at flat rates and try to fill them to capacity. It is estimated that these discounters have captured 15 per cent or more of the phone traffic between Britain and America.

Analysts say that BT will have to keep dropping its international rates in an effort to keep the discounters at bay.

Peaslington, page 27

City stays cool on Guinness

By ALASDAIR MURRAY

THE market reacted calmly yesterday as Guinness confirmed to the Stock Exchange that it had no intention of launching a £13 billion bid for Grand Metropolitan, in spite of the weekend speculation.

Guinness shares crept up 4p, to close at 474p, as analysts concluded that the company had narrowed its options by ruling out a hostile bid and a demerger. But GrandMet shares, which have performed more strongly in recent months, climbed 18p, to close at 440p. The third major drinks company, Allied Domecq, which has been peripheral to the rumours, rose 1p to 448p.

The City believes that Guinness's statement denying the bid speculation that followed the leak of a report by the advisers Lazard's, is so clear-cut that Guinness would not be permitted by the Stock Exchange to increase its 34 per cent stake in Moët Hennessey Louis Vuitton (LVMH), but LVMH has also turned in lacklustre performances.

GrandMet is regarded as more exciting, with the company's increased drinks marketing spend reaping rewards while it is enjoying benefits from the diverse food interests.

Guinness to increase greatly its marketing spend in the next couple of years in an attempt to improve performance, although this will hit profits in the short term. Another possibility would be for Guinness to increase its 34 per cent stake in Moët Hennessey Louis Vuitton (LVMH), but LVMH has also turned in lacklustre performances.

GrandMet is regarded as more exciting, with the company's increased drinks marketing spend reaping rewards while it is enjoying benefits from the diverse food interests.

Cure for hangover, page 29

SFO caseload jumps 50%

By JON ASHWORTH

THE Serious Fraud Office took on 50 per cent more cases in the past 15 months, fuelled by a sharp rise in fraud on investors. Growing co-operation with overseas authorities contributed to the increased caseload, detailed in the latest SFO annual report.

The report, the SFO's eighth since its formation in 1988, spans the Maxwell and Elizabeth Forsyth trials and shows the caseload running at its highest level. Some 77 cases are currently being investigated or prosecuted by the SFO, against 50 cases in April 1995. Much of the increase is due to a

policy of taking on cases involving as little as £1 million, down from £5 million previously. Cases of fraud on investors rose from 14 to 29 in the year to April 4. There have been slight falls in City fraud, such as fraud on financial institutions, and fraud on companies' creditors.

George Staple, director of the SFO, said that only one in eight cases involves regulated individuals — those subject to the rules of a regulated market, or supervised by a professional body. The rest involve individuals and businesses that are unregulated. He said: "The only form of regulation which

applies to them is the deterrent effect of the risk of a criminal investigation and prosecution for fraud."

About two thirds of cases investigated in the past year had a foreign dimension. The SFO faces increased calls from abroad for use of its powers, which enable investigators to seize documents and demand answers. Countries assisted included Argentina, Germany, Norway, South Africa and the US.

Eleven trials were conducted in the year. Of 23 defendants, 18 were convicted, and five were acquitted.

Turning point? page 37

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Double cream for directors of dairy float

By PAUL DURMAN

FIVE directors of Dairy Crest will be paid flotation bonuses totalling £345,000 as a reward for bringing the milk and cheese company to the stock market. The payments are in addition to the substantial share options that the directors will receive when Dairy Crest floats next month. The company will be worth about £200 million and is likely to have about 20,000 dairy farmers as shareholders.

For four of the directors, including John Houlston, the £232,000-a-year

chief executive, the decision to make payments "to secure their continuing services" was only made last December. Mr Houlston, Ian Laurie, the finance director, and Drummond Hall, who runs the cheese and spreads business, are due to receive £75,000. Bill Brown, managing director of the liquid milk business, will receive £70,000.

Dairy Crest's executive directors are all on two-year contracts. The Greenbury Committee on executive pay recommended one-year contracts. Mr Laurie said that the Residuary Milk Marketing Board,

which owns Dairy Crest on behalf of dairy farmers, had decided the payments were necessary because of the uncertain state of the milk market. "It was very necessary to hold together what they felt was a very remarkable management team," Mr Laurie said.

Two directors left last year, including Mr Laurie's predecessor. Payments will also be made to about another 15 senior managers below board level. Michael Dowdall, chairman, will be paid a flotation bonus of £50,000 — as agreed when he joined Dairy Crest shortly before

milk market deregulation in November 1994.

Mr Laurie said that most large public companies have still to implement the Greenbury recommendations on contracts. The RMMB felt two-year contracts were appropriate and in keeping with food industry practice.

Dairy Crest's pathfinder prospectus, published yesterday, reveals that 30 per cent of the company's shares will be placed with institutional investors. Dairy farmers will be repaid a £66.6 million debt dating from the Milk Marketing Board

days. Farmers will also receive shares in the company.

About two thirds of the 29,000 farmers involved have indicated they would like to take their entitlement in shares. Farmers are expected to end up owning close to 70 per cent of Dairy Crest. Many of the company's 3,400 employees will qualify for £100 of free shares.

Dairy Crest recently reported operating profits from its continuing business of £34.1 million, on sales of £740 million. It is keen to develop sales of its higher margin and branded products.

Crest hit by dispute on fines

A dispute over fines to be imposed on share registrars means that Crest, the paperless share settlement system, has not received clearance from the Securities and Investment Board — a week before it is supposed to start operating.

Registrars fear that they will have to pay huge fines, for failing to process share transactions within two hours, if the Crest computer network crashes. The two computer companies supplying the network have refused to offer registrars compensation if the system fails. Crest is understood to be considering reducing the fines to try to ensure that all contracts are signed and that the system can receive SIB clearance.

Marling alert

Marling Industries, the fabrics, industrial webbing and healthcare company, said that this year's results will be adversely affected by customer audit delays in the new North American seat webbing operation. In the year to March 31, pre-tax profits rose to £5.1 million, from £3.5 million, on sales up to £67.1 million (£64.4 million). Earnings per share were 1.91p (1.85p). A final dividend of 0.6p, paid as a foreign income dividend, makes 0.85p (0.82p).

Ivory up

Ivory & Sime, the investment manager, said that funds managed rose to £4.3 billion in the year to April 30, from £3.1 billion, through organic growth, increased funds from existing clients and acquisition of Clan Asset Management and Baroness Group. Pre-tax profits rose to £6.5 million, from £5.9 million. Earnings per share rose to 13.71p (12.95p). The total dividend rises to 8.25p (7.5p) with a 5.75p final.

Media ahead

Megalomedia, the media and recruitment services company chaired by Maurice Saatchi, lifted pre-tax profits to £309,000, from £100,000, in the year to March 31. Earnings per share were 0.73p (0.83p). There is again no dividend. The company last month raised £5 million via a share placing to finance expansion in media areas.

Hotel MAID

MAID and Thorn Business Communications have agreed to provide hotel chains across Europe with in-room television Internet services. Thorn expects to have installed Guestlink, its communications service, in 100,000 hotel bedrooms worldwide by the end of this year. MAID will provide Internet access via it.



Jim Hellig, right, chief executive, with Norman McLeod, finance director, after yesterday's improved first-half results

Speculators warned off from Bank of Scotland share sale

By MARIANNE CURPHEY

SPECULATORS and hedge fund managers were given warning yesterday that they will be excluded from Standard Life's sale of its stake of nearly a third of the Bank of Scotland.

BZW, the merchant bank chosen as joint global coordinator for the offer, said that investors who put in early bids would be favoured above those who put in large orders "in the last few hours" of the three-day bookbuilding exercise, due to start on July 22.

Standard Life's sale of about

29 per cent of its 32.2 per cent stake is one of the biggest share placings seen in the UK. The giant life insurer said that it decided to sell the stake because it represented 6 per cent of its UK equity holdings and was disproportionately large. Standard Life hopes to raise more than £840 million by selling up to 351 million shares, valuing each share at 239p, just above the market price of 238p when the offer was announced. The share price rose 3p, to 244p, yesterday after presentations to the City.

The offer includes an option to hold back 46 million shares for 12 months if demand is insufficient. Standard Life will keep a 2.5 per cent stake as a long-term investment. The insurer failed in its recent attempt to sell all or most of its stake to a hostile bidder or a strategic partner for the bank.

George Maddison, for BZW, said "an expensive piece of computer software" will help to weed out unwanted candi-

dates. "We are looking for quality investors who intend to hold shares over the longer term, preferably five years or more," he said. "Those who help us will be rewarded."

Large investors such as the Prudential and Mercury Asset Management, which held shares for the long term, would be favoured, he said. Sir Bruce Patullo, Governor of the Bank of Scotland, admitted that, after Standard Life's announcement of its plan to dispose of the shares,

"there was a period when clearly we had some worries". Four days after the announcement in May he resigned from Standard Life's board.

Yesterday, Sir Bruce said that Bank of Scotland management wanted it to stay independent. "Thirty holdings of 1 per cent each would be just about Utopia," he said. "If there is a predator, they know they are going to have a fight on their hands."

Pennington, page 27

Italian acquisitions fuel Kenwood rise

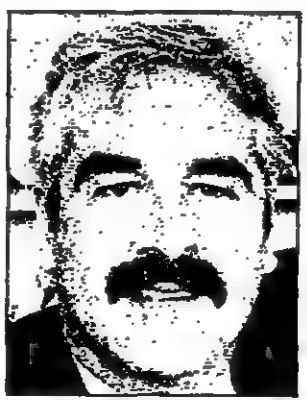
By FRASER NELSON

KENWOOD, the kitchen appliances group, achieved record pre-tax profits of £15.6 million in the year to April 4, as its Italian acquisitions more than offset a flat performance in the UK.

Ariete and Mizushi, the Italian groups bought in November 1995, gave their first full-year contribution, helping to boost sales in continental Europe by 69 per cent to £110 million — more than half of the group total.

The total dividend is held at 10p. Earnings per share rose 1.4p, to 23.9p.

Tim Beech, managing director, said that, in spite of gearing of 63 per cent, the



Beech: scope for takeovers

group could still make bolt-on acquisitions. If a major opportunity arose, he would consider a rights issue, he said.

Candy set to invest £7.8m in Hoover

CANDY, the Italian white goods manufacturer, is to invest £7.8 million in Hoover, the household appliance business it acquired for a knock-down price last year after a fire in its factory.

Candy revealed it intends to relaunch a Hoover refrigerator range after a ten-year absence from the market. The range, which will be launched this autumn, is expected to add 20 per cent to sales in the first year.

Three vacuum cleaner ranges will be launched over the next year. Hoover's Merthyr Tydfil plant will be Candy's group centre for tumble dryer manufacture.

PIA adjudications barred by 17 firms

By SARA MCCONNELL

SOME life and investment companies are refusing to allow independent ombudsmen to investigate complaints that fall outside narrowly defined terms of reference. Policyholders with such complaints are left with no option but to go to court, and face the prospect of heavy legal bills if they lose.

The Personal Investment Authority (PIA), which regulates sales of investments to the public, yesterday published a list of 17 companies which have made it clear they will not allow the PIA ombudsman or his counterpart, the insurance ombudsman, to handle complaints about the

administration of investments; the marketing, selling or administration of long-term care, term assurance or permanent health insurance; or complaints dating back to before the Financial Services Act came into effect in April 1988.

All these areas are outside the jurisdiction of the Personal Investment Authority ombudsman and can be dealt with by him or the insurance ombudsman only with the agreement of the company concerned.

The list compiled by the PIA includes Agon Life, American Life, Century Life, Crown Life and Premium Life.

BUSINESS ROUNDUP

Appleyard dealership overstated profits

APPLEYARD, the car dealer, has called in the police after discovering that profits from a Manchester dealership were overstated by £1.4 million. The former operations director and accountant have left the Ian Skelly dealership. No arrests have been made. More than £1 million of the overstatement relates to 1995. Appleyard will also have to cut £200,000 from the profits it reports for the first half of 1996. Appleyard's auditors, Ernst & Young, failed to pick up any irregularities when it examined the books of the Manchester business in 1994 and 1995. The problems came to light in May after a management reshuffle.

Correcting the overstatement will cut about £1 million from Appleyard's shareholders' funds. The company has still to quantify the cash impact, a spokesman said. It has not yet decided whether it has a case to bring against Ernst & Young. Appleyard said it intends to maintain its interim dividend at 3.1p a share. It expects interim profits will be at least £4.6 million, down from an adjusted £4.9 million, for the first half of 1995. Order intake for new cars in August is up 27 per cent.

Exchanges set link date

THE Chicago Board of Trade, the world's busiest futures exchange, and the London International Financial Futures and Options Exchange have set May 9, 1997 as the new launch date for the open outcry linkage of the two exchanges and their respective clearing houses. The agreement moves the exchanges closer to 24-hour global trading. The original launch date of June 28 this year was postponed because of technical system work needed on the clearing operations link between the exchanges.

ERS aims for dual quote

ERS INTERNATIONAL, a producer of electronic supermarket shelf labels, will become the first company to trade on both New York's Nasdaq and Britain's Alternative Investment Market on its £30.5 million flotation on Thursday. The company joined Nasdaq in 1993 and has already spent \$57 million on development. It plans to raise £7.7 million from the placing. Its electronic price labels can be updated daily by remote control from a central computer, and sell for an average of \$100,000 a set. Shares will begin trading at 145p.

Oil production rises

WORLD oil production rose sharply in June as new fields came on stream in Africa and Asia, and North Sea output recovered after a strike by Norwegian oil workers in May. The International Energy Agency said yesterday. The Paris agency said world production rose 680,000 barrels per day (bpd) to 72.1 million bpd. Supply from the 11 members of the Organisation of Petroleum Exporting Countries rose a modest 40,000 bpd to 25.7 million bpd. Total non-Opec supply is forecast to rise 1.6 million bpd on the year to 44.1 million bpd in 1996.

Shield lifts R&D costs

SHIELD DIAGNOSTICS, the in-vitro diagnostics company, reported flat pre-tax profits of £76,000 in the year to March 31, on turnover that rose 22 per cent to £5.83 million. The level profits reflected research and development (R&D) costs of £446,000, up 43 per cent. Shield signalled that it plans to grow through product development and increasing its direct sales force rather than by making acquisitions. It said that its balance sheet, with £1.3 million of cash at the end of the year, remained strong.

Media activities merge

CLT, the Luxembourg media group, which owns the Atlantic 252 and Talk Radio stations in Britain, and Bertelsmann, the German media group, are to merge their European radio, television and production businesses. The new company will include RTL Television, Germany's biggest broadcaster, and a 29 per cent stake in Channel 5, the UK's new terrestrial television service. Canal Plus, the French pay-TV operator, had feared that Bertelsmann and CLT would launch a pay-TV service in its home market, but that fear seems to have eased.

RMC's Ennemix stake

RMC Group, the concrete company, has stepped into the takeover battle for Ennemix, the building materials company, by acquiring 200,000 Ennemix shares at 50p each. RMC said it has no "current intention" of making a full bid, but is ordering the purchase of more shares in the market. RMC's raid was at a 4p premium to the 46p-a-share agreed bid for Ennemix by Lafarge, of France. Lafarge has acquired a 27.7 per cent interest from Vaughan McLeod, Ennemix's chief executive. Redland holds a 41 per cent stake from a failed bid.

TOURIST RATES

Bank	Bank	Bank	Bank
Sells	Sells	Sells	Sells
Australia \$	2.04	Netherlands Gld	2.990
Austria Sch	13.80	New Zealand \$	2.38
Belgium Fr	49.44	Norway Kr	10.38
Canada \$	2.180	Portugal Esc	204.00
Cyprus Cyp	0.749	S Africa Rd	6.78
Denmark Kr	8.34	Spain Ptas	166.50
Finland Mk	7.84	Sweden Kr	10.78
France Fr	6.11	Switzerland Fr	1.92
Germany Dm	2.41	Turkey Lira	113.00
Greece Dr	388.00	USA \$	1.804
Hong Kong \$	12.45		
Ireland Pst	1.02		
Israel Shk	5.700		
Italy Lira	2496.00		
Japan Yen	177.50		
Malta	0.591		

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading Thursday

Greenhills cash call for Russian vodka

By ALASDAIR MURRAY

GREENHILLS, the themed restaurant group, is launching another rights issue later this year to raise up to £2 million to help to fund development of a newly acquired Russian vodka. In an all-paper offer Greenhills is paying up to £1.35 million for the acquisition of Russian Dawn, which has exclusive UK distribution rights for Kremlyovskaya, the

third biggest vodka in Russia. Kremlyovskaya sells more than eight million cases a year. Greenhills will offer nine million shares to Russian Dawn if performance criteria are met over the next few years.

Money from the rights issue will also help to develop its Dream Factory theme restaurant complex, which is scheduled to open this year.

BSkyB and Kirch link up to launch digital satellite TV

By ERIC REGULY

BSKYB, the satellite broadcaster, formed a partnership yesterday with the Kirch Gruppe of Germany to launch what will become one of Europe's first satellite broadcasting systems in digital form.

BSkyB, which is 40 per cent owned by News International, owner of The Times, said the partnership will begin broadcasting 17 channels in Germany on July 28. They will include MTV, several children's channels, a German version of the Discovery Channel, and three sport and nine movie channels.

The partnership, known as DF-1, will be 49 per cent owned by BSKyB and 51 per cent owned by Kirch. BSKyB is getting the stake free in exchange for bearing its share of the costs. Analysts estimate that the service will require a joint investment of several

hundred million pounds over the next three years. DF-1 said it was willing to recruit other partners "which bring strategic value to the project". Hollywood studios are potential candidates. BSKyB and Kirch made it clear, however, that they would be willing to sell only small stakes to outside partners.

The formation of the DF-1 partnership came several weeks after BSKyB withdrew from a proposed digital-TV alliance with Bertelsmann of Germany and Canal Plus and Havas, both of France. BSKyB was said to be frustrated at the slow pace of the negotiations to launch the service. BSKyB has also withdrawn from an agreement to acquire a 25 per cent stake in Premiere, the TV channel controlled by Bertelsmann and Canal Plus.

With DF-1 ready to go,

Bertelsmann will be under pressure to create a digital-TV service of its own quickly. Other media companies will feel pressure to speed up their launch efforts too. DirectTV, for example, is expected to announce a digital TV partnership in Europe before the end of the summer. The company, which is owned by Hughes Electronics, a subsidiary of General Motors, could be a formidable player because of its deep pockets.

DF-1 will rely on BSKyB to provide marketing, packaging and subscriber management systems. Kirch will provide the decoders and, at least initially, the bulk of the programming. Subscribers will need a "D-Box" decoder and a satellite-dish receiver, which together will cost about DM1,000. The monthly subscription charge for the basic service will be DM20.

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Friendly HOTELS PLC

1995 RESULTS

RESULTS IN BRIEF

	1995
TURNOVER	£'000
PRE TAX PROFIT	36,455
DIVIDEND	4,180
EARNINGS PER SHARE (BASIC)	5.7p
	11.7p

- The hotels division performed well and is expected to show a further improvement in the current year. Provision has been made for the intended disposal of the serviced offices division.
- The significant agreement with Choice Hotels International was completed in May 1996. It provides substantial funding for further hotel developments on a larger scale, as well as the benefit from being the Master Franchisees for Choice in the UK and Ireland.
- The Group operates 30 hotels with over 3,100 rooms. A further number are under active development.
- Fully diluted net assets increased to 302p per ordinary share.
- As is now customary, the Chairman and Chief Executive's role are being split and a new Chief Executive has been appointed.
- As a lean single core business with strengthened future prospects, useful progress is anticipated in 1996 and beyond.

Friendly Hotels - The Best Choice

For a copy of the latest Report and Accounts please apply to the Secretary, Friendly Hotels PLC, Premier House, 10 Greycoat Place, London SW1P 1SB.

27/07/1996

□ The quality of mercy is Standard's □ When death-in-service benefits dwindle □ Market forces call a halt to BT and AT&T

BZW's secret lie-detector

□ BZW says that it has a secret weapon in its hunt for quality buyers of Bank of Scotland stock. An expensive piece of computer software will identify timewasters and speculators who just want to make a quick buck.

Stags and hedge-fund managers beware: BZW plans to sell the bank's shares, currently held by Standard Life, to those who want to hold them for at least five years.

Previous experience in book-building has shown that demand for shares often doubles in the two hours before the deadline as word gets around that demand has exceeded supply and that the offer has become "hot".

This time, it says, those who make orders in the last two hours "will probably get nothing".

Claims like these make one ponder on what exactly this piece of high-tech equipment might be. Maybe it is a lie-detector, to measure a fund manager's heart rate when he or she is asked how soon they intend to sell after receiving the stock.

BZW might also like to share its technical know-how with the Treasury, which would find such information of immense use with the remaining government sell-offs. Imagine being

able to test every applicant for the forthcoming privatisation of British Energy on their commitment to the future of the nuclear industry. By happy coincidence BZW is also handling the British Energy sell-off. And what a boon it would have been to weed out in advance all those speculators who notched up hundreds of thousands of pounds easy profit in the first hours of the Railtrack sale.

Such an ability to divine the secret plans of the City's finest would also be of immense use to the Stock Exchange, which could employ it during investigations into suspected insider dealing.

In reality, Standard Life is likely to have to sell the stock to whoever will take it. Analysts question the bank's ability to keep down its costs in relation to income, and they worry about flat markets in Australia and New Zealand, where the bank has made acquisitions.

The best solution for Standard Life would have been to find a hostile bidder willing to pay a premium for the stock. The shares will probably now be sold at a discount to the current

market rate, with analysts looking for a price of around 220p. Bank of Scotland is at Standard Life's mercy.

Paternal talk of excluding speculators at this late stage does not alter the fact that Standard Life would probably have sold Bank of Scotland down the river had it been given the chance. And weeks of uncertainty over the future of the stock did the bank's share price no good at all.

A question of trust

□ JUST as you were beginning to relax about the safety of your pension fund, a new worry has emerged courtesy of Bellwinch, the builder turned round by the late Ray Davies. The death-in-service benefit, which his widow was expecting to receive after his death last June has been withheld and Mrs Davies is being sued by the company to prevent her from claiming the £600,000 due under a Norwich Union policy. The amount is irrelevant. The dispute this case should cause is the same if you are



earning £20,000 or £200,000 because the payouts are based on trust law, which, as previous pension plunderings have shown, cannot always be trusted.

Most employees would rather not think about dying before retirement. It makes them feel too mortal. They quickly sign the forms nominating their chosen beneficiaries and probably even work out how much their partner might receive and then forget about the insurance cover. They may not even tell their partner what he or she might be worth in the event of payout.

The insurance usually provided by employers as part of the pension scheme pays out up to four times salary if the employee dies while still on the payroll. It

is not, however, automatically paid to the estate of the deceased employee, so that the beneficiaries escape paying inheritance tax on the lump sum. Instead, the trustees use their discretion to pay out the money, usually to the beneficiary nominated by the deceased employee. That discretion allows the payout to avoid tax. If the trustees were forced to pay the beneficiaries nominated by employees, there could be a tax bill. It can also allow employers to make sure that widows and orphans benefit at the expense of new-found mistresses.

The worry must be that such discretion might also allow employers to change the rules of payout without consulting individuals too closely. Most pension plans pay a widow's and dependant's pension in addition to the lump sum death-in-service benefit. In the case of Bellwinch, the company's writ claims that it had always intended to be paid out from the policy and then use the money to pay out benefits to Mrs Davies while having at least £364,000 for itself. If Bellwinch wins, hard-up companies might

be tempted to follow suit and a little more trust would be lost in the relationship between employees and pension schemes.

Dialling discounts

□ IN THE old days, fixing charges for phone calls was dead easy — the greater the distance, the greater the charge. That is why relatives in America got the occasional call while those in Australia got letters. What customers did not realise was that the actual cost of carrying a voice signal 10 feet or 10,000 miles did not differ enormously.

The huge profit margins on international calls eventually got consumers agitated, and governments and regulators around the world responded by doling out licences to new operators. Prices, as a result, have been plummeting.

Britain has been no exception. BT freely acknowledges that international calls have become its most competitive market and that such calls will

continue to fall in price at a faster rate than local and national calls. International calls will fall by up to 23 per cent from September.

BT had no choice but to cut. AT&T has estimated that international call discounters, the bucket shops of telecoms industry, have captured 15 per cent or more of phone traffic between the US and Britain in the past few years. The discounters lease voice circuits from large operators and fill them to capacity, while keeping overhead costs to a bare minimum, and can offer tariffs that are 50 per cent less than the going rate.

After the cuts, BT and AT&T, will have to find new markets and new products to make up the income shortfall.

But do not feel sorry for them; they have had an easy ride for decades.

Railway sleepers

□ THE British railway manufacturing industry will today mourn its 1,000th day without an order for mainline passenger trains, the longest peace-time gap since the Victorian rail boom. The dearth has been blamed on the disruption caused by rail privatisation and is not set to end until the end of this month, when the newly privatised Chiltern Railways is expected to order 12 diesel trains.

Tomkins to pay Gates chief salary of \$250,000

By CARL MORTIMER

TOMKINS has agreed to pay the retiring chairman of Gates Corporation a salary of \$250,000, after the sale of his company to Tomkins.

Charles C. Gates, whose family controls the private fan-belt manufacturer to be acquired by Tomkins for \$1.1 billion, will relinquish control of Gates and join the Tomkins board as a non-executive director. The agreement indicates that Mr Gates will provide consulting services for five years from completion of the Gates deal, and includes an undertaking not to compete with Gates or Tomkins.

Tomkins confirmed yesterday that it had received regulatory approval to acquire Gates and announced a rise in full-year profits, from £303 million to £323 million, with increased order books for the current year. The dividend is up 17 per cent, to 7.25p, for the full year, after a 7 per cent rise in earnings per share to 18.7p.

Greg Hutchings, chairman of Tomkins, said that operating margins were up in all six business sectors in spite of difficult winter weather in North America. Profits at Tomkins's US lawnmower business suffered a 25 per cent slide, to £35.8 million, because

the record snowfall led to delayed lawnmower sales.

RHM, the milling and baking business, raised profits by 17 per cent after a 2p bread price rise in April last year and another 1p in February. RHM's margins rose 17 per cent last year, to 5.7 per cent. Sales of hand guns by Smith & Wesson were down after unusually high volumes in the previous year caused by talk of gun control in the US.

Tomkins is issuing \$1.16 billion in convertible preference shares to the vendors of Gates, which will carry a fixed annual dividend of \$56.8 million (£36.9 million). The preference shares convert into a maximum £226.7 million ordinary shares, about 16 per cent of the share capital, but the company emphasised that the minimum conversion price was 334p, 25 per cent higher than the current share price.

Ian Duncan, Tomkins's finance director, said the company hoped to save up to a third of the £753 million purchase price by more efficient use of working capital. "Their accounting systems are poor, they didn't manage the balance sheet," he said.

Tempus, page 28

Unigate spreads to Italy

By SARAH BAGNALL

UNIGATE, the foods group, is consolidating its position as the UK's largest margarine and spreads business by expanding into Italy with the purchase of Kraft's European operation for £77.25 million.

The acquisition adds Vitalite and Golden Churn to Unigate's existing UK brands — Gold, Utterly Butterly and Mono. As a result, Unigate's share of the UK margarine and spreads market will rise from 14 per cent to 25 per cent.

Ross Buckland, chief executive, said: "This acquisition adds high-profile brands to our existing portfolio and significantly expands our market presence in the UK."

Unigate's St Ivel spreads business, which operates in the UK and France, has annual sales of £125 million while Kraft's UK brands had sales of £59.2 million in 1995.

Unigate is also acquiring Kraft's Valle and Valle Grangusto brands, which had sales of £6.6 million in 1995, representing 40 per cent of the Italian retail tub margarine market. Overall, the acquired businesses made operating profits, before central costs, of £13.9 million. Net assets stand at about £14 million.

The purchase, conditional on the deal not being referred to the Monopolies and Mergers Commission, is expected to be earnings enhancing in this financial year. Unigate's shares rose 4p to 399p.

Cashless victory for General

By ERIC REGULY

THE cable industry took another step towards consolidation yesterday when General Cable, the eighth largest player, acquired full control of Yorkshire Cable for £160 million.

General, controlled by Compagnie Générale des Eaux, the French utilities group, bought the 50 per cent of Yorkshire that it does not already own from Singapore Telecom. It is understood that KPN, the Dutch phone company that is building a cable business in Britain, was keen to acquire the stake.

General is paying no cash. In exchange for the half share, it is issuing Singapore Telecom with 84.5 million new General shares. Based on General's closing price of 190p on July 4, the deal is worth about £160 million and will give Singapore Telecom a 25 per cent stake in General. Singapore Telecom plans to reduce that holding to 10 per cent or less by selling General shares in the open market.

Separately, General is planning an international offering of 75 million new shares to raise up to £45 million. The funds will be used to provide working capital for the enlarged group and to repay a loan made by Singapore Telecom to Yorkshire. The share price is to be set on July 31.

Tempus, page 28

We'll go on listening even when you can't go on talking.

Every year at The Samaritans we receive over a million totally silent phone calls. For whatever reason, the callers can't begin to tell us what's troubling them.

Equally, callers who do start may be unable to go on — many hang up halfway through a conversation, or simply go quiet.

With all of these callers, though, we have one golden rule: we never stop listening. We won't be the ones to hang up or say goodbye.

Our number's in the phone book, or you can call our new national number on 0345 90 90 90. Every call is confidential. Even if you can't talk we'll listen.

...and we'll go through it with you. The Samaritans

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MICHAEL CLARK

71	31	Sara Lee Corp.	35	25
72	31	Schering-Plough	35	25
73	24	Schmiedinger	85	84
74	24	Schweitzer	25	25
75	19	Sealed Air	25	25
76	19	Seishu Industries	47	41
77	22	Seitronics	25	25
78	22	Self Storage	88	86
79	22	Shelton Corp.	25	25
80	22	Sherrill	25	25
81	46	Shinoda Corp.	25	25
82	46	Southern Co.	23	23
83	72	Spacelabs	25	25
84	72	Stanley Works	28	28
85	72	Star Line	25	25
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THE TIMES CITY DIARY

Lewis to give it the gas

POLITICS, banking and now gas for Simon Lewis, blue-eyed boy of the adoring public relations fraternity. Lewis, 37, has resigned as head of corporate affairs at NatWest Group after nearly five years to take on a similar role at British Gas Energy. He starts in September, leaving time to settle in before a general election — Lewis represented the Social Democrat Party in 1988 — and his investiture as president of the Institute of Public Relations.

Lewis was seconded to the SDF from Shandwick, and later surfaced at the former SG Warburg. NatWest signed him up in March 1992 — a week after the group unveiled its worst results since 1973. "I never shirked hard work," says Lewis, who supports Arsenal and says he has given up on politics.

SFO squeezed

NO shortage of people seeking to join the Serious Fraud Office, however dismal the image. The latest SFO annual report shows 472 jobs applied for 12 jobs last year, covering posts including accountants and investigators. In the year to April, permanent staff increased from 137 to 162. The SFO admits it has hired a team of "space consultants" in an attempt to squeeze more value out of its Elm House headquarters.

FRENCH defections... Andy Harwell, former equity strategist at Banque Paribas, is the new senior UK equity strategist at Société Générale Strauss Turnbull Securities. He picks up from Corey Miller, who slipped to Crédit Lyonnais.



Hanson hiccup

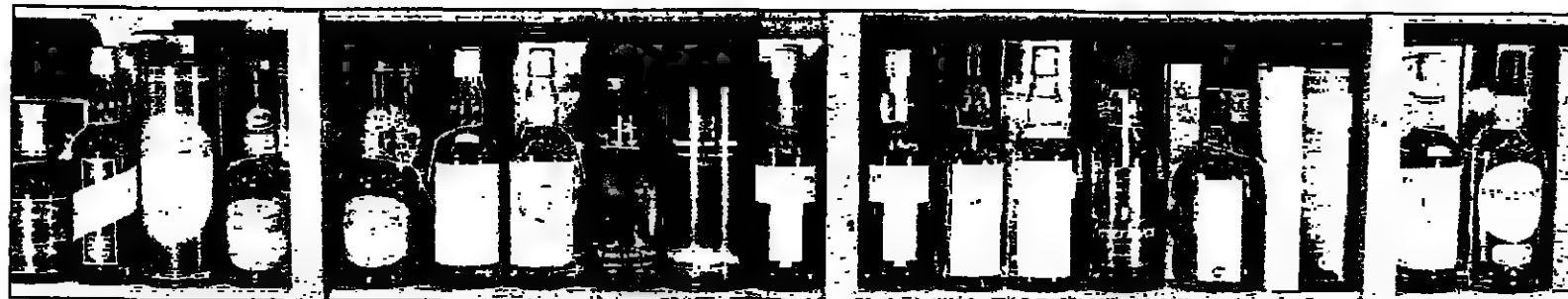
NEW HANSON, new danger? Certainly a number of fund managers seem to be fearing so. New Hanson, as the conglomerate is calling itself before its split into four companies, seems to have had little luck on its roadshow. Company representatives, having trundled up to take the New Hanson story to a Scottish institution, were told that its fund managers had just sold the last of their Hanson shares.

Sinking feeling

ALL at sea for Ernst & Young over the weekend, as 188 partners and staff descended on Southampton for a spot of sailing. Not only were proceedings delayed by technical problems — one of the boats caught fire — but lack of wind resulted in several craft racing backwards. A special champagne prize went to the team from Inverness, which succeeded in drifting three times around the starter's boat before getting under way.

Clear as mud

WHEN the Treasury's in-house magazine, *Chequerboard*, won an award from the Plain English Campaign yesterday, even the civil servants thought it was funny. So off they went, shouting: "Mehercule! Laudate Department! Chancellorem! *Chequerboard's* 1,600 readers — serving and retired members of staff — no doubt know this Latin phrase means: By Hercules, praise to the Chancellor's Department."



The City may be muttering about the need for the drinks sector to restructure, but ownership is already concentrated in a small number of hands

Drinks groups seek cure for hangover from 1980s

Alasdair Murray asks whether the sector faces a shake-up

The directors of Guinness will still be feeling a little red-faced this morning after seeing the company's most private fantasies splashed all over the weekend's press. Guinness was quick to deny formally that it has any desire to launch a £13 billion hostile takeover bid for Grand Metropolitan or even that it is prepared to split the company by demerging its brewing arm. But while the City was prepared to accept Guinness's assertion that it was merely exploring every option, the pressure for it to take decisive action has been growing.

Guinness, in common with GrandMet and Allied Domecq, its chief rivals, is finding it has a limited number of options in an already crowded drinks market. While the sector has underperformed the FT-SE 100 index by about 45 per cent in the past four years, the companies are finding that repeated brainstorming have not uncovered any quick solutions. The industry has been suffering from a huge hangover since the heady days of the late 1980s came to an end. In that decade the drinks companies could reap huge profits by tapping into the booming consumer market with their aspirational marketing campaigns.

But the consumer boom collapsed and the companies found they were losing volumes while still resistance from the increasingly powerful supermarket chains made it hard to pass on price increases. At the same time, the companies reined in their heavy marketing spend to protect profits, only to find that younger consumers were shifting from spirits to newer beverages, such as alcoholic fruit drinks. Tony Greener, chairman of Guinness, believes that the industry has reached an impasse, caught between low-growth mature markets in the West and high-growth, but low-mar-



Finn Johnson, left, the managing director of United Distillers, with Tony Greener



Tony Hale admits his portfolio is too broad Lord Sheppard of Didgmore retired this year

gin, emerging markets. These markets, in particular China, do hold out long-term hope for the industry, but companies will need to invest much more before they reap real rewards. With organic growth viewed as too slow to restore the gloss to drinks sector share prices, the City is muttering about the need to restructure. But the sector is already concentrated in a small number of hands. Guinness has been hardest hit by the declining fortunes of the spirit market — it derives about 75 per cent of its £1 billion profits from its spirits division, United Distillers. Although the company's performance has never been as poor as that of Allied-Domecq, it is a persistent stock market underperformer and even a £500 million share buyback in March failed to

reignite the share price. Even Bernard Arnault, a Guinness director and chairman of LVMH Moët Hennessy Louis Vuitton which holds a 21 per cent stake in Guinness, has publicly voiced his concerns over the future of company and hinted he would like the company to demerge. Guinness has made it clear that it wants to hold on to its brewing operations which generate about £300 million a year in profits and have been growing faster than the spirits business in recent years. Many analysts are also unconvinced that a demerger would add any value to the share price. By ruling out a demerger, the company was almost forced to

consider the logic of a bid for GrandMet. Adding International Distillers and Vintners, GrandMet's spirits division, would complete Guinness's brand portfolio and give it control of a leading vodka, Smirnoff, one of the few spirits brands to show consistent growth. Consolidation of the two spirits divisions would also allow Guinness to make huge cost savings. GrandMet is less reliant than its two main rivals on its spirits division, which provides only about 40 per cent of its profits. Its recent performance has also been better, with volumes of its main brands, which include Smirnoff, J&B Rare whisky, Bailey's and Grand Marnier, rising 5 per cent at the half-year stage. GrandMet has also forced

through price rises of 2.5 per cent which it believes will stick. The group has been busy redefining itself since the departure of Lord Sheppard of Didgmore as chairman this year. It may no longer be the sprawling conglomerate of the early 1980s but still has diverse food and drink interests. George Bull, the new chairman, argues that the company is a brand-builder. Such a strategy makes it even more unlikely that the company is looking to offload its drinks division, which is a brand-led business. In spite of the inevitable tongue-wagging in the City, a sale of one of GrandMet's peripheral food interests, Burger King for instance, remains the company's most likely strategy.

In contrast to the recovering GrandMet, drinks sales and profits are still falling at Allied Domecq. Tony Hale, chief executive, has admitted that its drinks portfolio, which includes Ballantine's and Teacher's whisky, Beefeater gin and Courvoisier, is too broad. Allied has promised to increase its marketing spend this year and concentrate on promoting its main brands.

Allied Domecq also has a new chairman in Sir Christopher Hogg, and although the City appears a touch more optimistic about the company's future, it is still regarded as vulnerable to a bid. With many of its non-drink businesses also struggling, the drinks division does not look attractive enough to arouse the jealous passions of its rivals. The City is more concerned that the company successfully disposes of its stake in Carlsberg-Tetley, the brewing joint venture. With the problems faced by all three drinks groups public knowledge, the pressure to take some kind of aggressive action is unlikely to abate in the near future. But while GrandMet and Allied can concentrate on tinkering with their food brands, Guinness appears to have few options beyond raising its marketing spend and hoping that the much-vaunted consumer recovery arrives. Guinness's firm denial to the Stock Exchange may have ruled out the two obvious avenues for the present, but the company may well find that it will have to revisit these plans in the not-so-distant future.



JANET BUSH

Clarke plays forecasting game with his instincts

Kenneth Clarke has never encumbered himself with the minutiae of economic forecasting and his best policy decisions have been based on instinct. Today's Summer Forecast should be judged in that context. The Chancellor is rightly sceptical of attempting to fine-tune policy on the basis of a decimal point here or there on forecasts. Take the recent example of revisions to the national accounts and the balance of payments that reduced the 1995 current account deficit to £2.9 billion from £6.7 billion.

Remember when the economy appeared to have grown by about 0.7 per cent in the first quarter of last year and Eddie George counselled a rise in interest rates. As it turned out, first-quarter growth was revised down to 0.4 per cent. Mr Clarke looked to his instincts, refused to be rattled and won the intellectual argument.

Go back to the now notorious policy misjudgments of Nigel Lawson, then Chancellor. He eased policy to bolster growth on the strength of figures showing a 1 per cent fall in manufacturing in the first quarter of 1988. Subsequent revisions found that manufacturing had grown by more than 2 per cent and the great British boom and bust was born. Now take last year's Summer Forecast. On two counts, it holds up well. Inflation was predicted to be 2.5 per cent by the end of this year and today's updated forecast will likely make the same judgment. Last year, growth was put at 2.75 per cent. The November Budget revised that up to 3 per cent and today it is expected to return to 2.75 or 2.5 per cent.

What is astonishingly different a year on is the Treasury's view of government borrowing. In last year's Summer Forecast, the public sector borrowing requirement was expected to fall to £16 billion this year. The Budget revised that to £22.5 billion. The City now expects the Chancellor to publish a figure today as high as £28 billion. Let us take PSBR forecasting first. A £12 billion slip-page in a year looks dramatic until one takes into account that the average margin of error in any year's forecast of the PSBR is reckoned to be £10 billion. On that score, the Treasury can be accused only of being £2 billion too optimistic. The

Treasury seems genuinely to have been caught out by the emergence of a black hole on the tax revenue front, even now being furiously analysed by the Treasury and the Inland Revenue. There has been a simple miscalculation. But at other times forecasts are subject to political calculation. Norman Lamont's March 1993 Budget prediction of a £50 billion PSBR in the following financial year was way above even the most pessimistic of City expectations. At the same time, he was threatening to impose VAT on fuel. The message to his party was: "Control public spending or you will be faced with a far more unpalatable option." The PSBR undershot that forecast by £4 billion, but Mr Lamont set the tone for years of successful control of spending. VAT on fuel was ultimately rejected by the Conservatives — as was Mr Lamont.

There is a political element to Mr Clarke's PSBR forecast this time too. This Summer Forecast precedes the last Budget before the election and Mr Clarke is under party pressure to deliver tax cuts. He might be tempted to publish a gaudy PSBR number — such as £30 billion — with scope for an undershoot. This, together with an estimated £3 billion worth of pessimism built into spending figures, could give him room for some tax cuts.

Forecasts for borrowing are subject to routine error and political strategy

Arguing against such a strategy is the fact that financial markets are wise to such shenanigans and the Chancellor's desire to pend-

cil in a forecast that shows the PSBR still on a steep enough downward trajectory to reach the magic 3 per cent upper limit written into the Maastricht treaty by 1997. Even if Britain does not want to join the single currency, Mr Clarke wants to show that he could. And what of growth forecasts? In a recent interview with *The Times*, Mr Clarke dismissed attempts to forecast growth to the percentage point as an intellectual exercise. He said the level of growth did not matter as much as whether growth existed, whether it was getting healthier, whether it would continue to do so and whether it was sustainable. All this appears to be the case and yet Mr Clarke is virtually certain to revise down his growth forecast. Let us hope that his industrial friends in the Midlands see the Summer Forecast for what it is and don't adjust down their investment and employment plans.

Psion should sugar the bid pill in its offer for Amstrad

From G. G. Fiegel
Sir, The suggestion by *Tempos* (July 2) that Psion's offer price of 200p is too low largely coincides with my own view. At the time of the buyout bid by Alan Sugar in 1992 the net asset value of the company was stated to be 45.3p per share. This would suggest that after restructuring, if the asset value remained the same, the current value would equate to 231.5p per share.

Since 1992, the company has closed and written out the goodwill of the Spanish subsidiary and it has further written out all the considerable "establishment" costs of Dancall, of which Mr Sugar made great play at the last AGM. Moreover, it has acquired Viglen which is making good profits. Not forgetting the cash of approximately £100 million (Mr Sugar's war chest) which has been sitting there for the past four years.

A simple soul takes a look at figures

From Brian Charles Hunt
Sir, I know I am a simple soul, but when there are ten investors to every mortgage holder in a building society, every time the interest rate comes down means there is surely less spending money in the economy. Also, as so many people are now working part time, this means less tax and NI revenue than when people had full-time jobs. If anyone could give me other figures, I would be very interested. Yours faithfully, BRIAN CHARLES HUNT, 6 Penworth Court, Ruckham Road, Rustington, Littlehampton, West Sussex

One would have thought that all these factors would have been added value to the assets and shares. Indeed, the share price was near the 300p mark last September prior to Mr Sugar making his usual statement on the morning of the AGM and then parting company with David Rogers, who enjoyed both the confidence of the shareholders and the market.

Now at a share price of 196p Mr Sugar, who holds 34 per cent of the shares, again without regard to the 66 per cent shareholders of the company and without calling an extraordinary general meeting to obtain approval, is "restructuring" internally prior to dealing with Psion at a low price, to the detriment of the smaller shareholders. Surely he is not incorporating the loss-making ACE division into Betacom out of pure

altruism or philanthropy to the smaller shareholders whom he so dislikes. Mr Sugar's brief announcement dated June 23, which states that negotiations are proceeding with Psion and that the board would recommend a purchase price of 200p, arrived through my letter box today — a delay of ten days — after the matter was widely reported in the press. I shall await Psion's offer with interest, and accept that commercially an asset or a company's value is what a buyer is prepared to pay for it. Equally, the seller must have a say in such a transaction and Mr Sugar represents only 34 per cent. I do hope that Psion's more enlightened board will take note of the argument and make us a more realistic offer. Yours sincerely, GIDEON G. FIEGEL, 55 Blockley Road, Wembley, Middlesex.

Another social aspect of the scheme is that a wife who has had little or no earnings herself will enjoy a category B pension on the strength of her husband's NIC record. There can surely be no objection to that, but it would be unfair to single people to grant wives who have earned a category A pension any more than the option of taking the higher of the two. Further, although there is neither an arithmetical nor an actuarial

NICs are not a form of taxation

From Mr David Lindsay
Sir, The two correspondents who complained of injustices in the state pension system (June 22) seem not to appreciate that it is, basically, a system of social insurance in which contributions (NICs) are related to earnings (but with an anomalous upper limit), while the benefits (pensions) are related not to the amount contributed, but to the NIC record, with an upper level which is attained by most main breadwinners.

Another social aspect of the scheme is that a wife who has had little or no earnings herself will enjoy a category B pension on the strength of her husband's NIC record. There can surely be no objection to that, but it would be unfair to single people to grant wives who have earned a category A pension any more than the option of taking the higher of the two. Further, although there is neither an arithmetical nor an actuarial

Government should impose discipline in the field of legislation

From O. Evans Palmer
Sir, Lord Deramore (June 20) rightly draws attention to the need to free business from the dead hand of bureaucracy and to the zealousness of bureaucrats implementing and sometimes misrepresenting what he calls "our European masters in the Commission". May I say that my own experience of the Commission, although mixed, strongly suggests that (at least as far as the construction industry is concerned) it leans over backwards to avoid appearing bureaucratic when it administers what are, after all, the agreements that our elected ministers reach, no doubt,

in the belief that they are advancing the interests of their electors. As far as deregulation is concerned, I agree that there could be less regulation but, far more important, in my view, would be a better way of drafting legislation. One is not only impeded by the language and indifferent presentation but bewildered by the plethora of amendments, repeals, commencement orders and the like. And that is only the Act. It will almost invariably be supported by regulations and then by "guidance". The search for the meaning of some provision can be, at best, lengthy and at worst endless. It seems to be left to the

unfortunate readers to battle their way through what is little better than an outmoded shambles and to grapple with complex cross-references, exceptions, exceptions to exceptions and hidden "interpretations". Is it impossible for government to impose some discipline and introduce some form of editing into the whole corpus of legislation? Perhaps it could start by giving a contents list in its Acts? Yours faithfully, O. EVANS PALMER (Chartered Architect), 11 Causeway, Horsham, West Sussex.

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Source: FT Information

Shares mark time

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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1996	High	Low	Company	Price	% CHG	1996	High	Low	Company	Price	% CHG
556	544	560	556	111	108	114	111	108	114	111	108
557	545	561	557	112	109	115	112	109	115	112	109
558	546	562	558	113	110	116	113	110	116	113	110
559	547	563	559	114	111	117	114	111	117	114	111
560	548	564	560	115	112	118	115	112	118	115	112
561	549	565	561	116	113	119	116	113	119	116	113
562	550	566	562	117	114	120	117	114	120	117	114
563	551	567	563	118	115	121	118	115	121	118	115
564	552	568	564	119	116	122	119	116	122	119	116
565	553	569	565	120	117	123	120	117	123	120	117
566	554	570	566	121	118	124	121	118	124	121	118
567	555	571	567	122	119	125	122	119	125	122	119
568	556	572	568	123	120	126	123	120	126	123	120
569	557	573	569	124	121	127	124	121	127	124	121
570	558	574	570	125	122	128	125	122	128	125	122
571	559	575	571	126	123	129	126	123	129	126	123
572	560	576	572	127	124	130	127	124	130	127	124
573	561	577	573	128	125	131	128	125	131	128	125
574	562	578	574	129	126	132	129	126	132	129	126
575	563	579	575	130	127	133	130	127	133	130	127
576	564	580	576	131	128	134	131	128	134	131	128
577	565	581	577	132	129	135	132	129	135	132	129
578	566	582	578	133	130	136	133	130	136	133	130
579	567	583	579	134	131	137	134	131	137	134	131
580	568	584	580	135	132	138	135	132	138	135	132
581	569	585	581	136	133	139	136	133	139	136	133
582	570	586	582	137	134	140	137	134	140	137	134
583	571	587	583	138	135	141	138	135	141	138	135
584	572	588	584	139	136	142	139	136	142	139	136
585	573	589	585	140	137	143	140	137	143	140	137
586	574	590	586	141	138	144	141	138	144	141	138
587	575	591	587	142	139	145	142	139	145	142	139
588	576	592	588	143	140	146	143	140	146	143	140
589	577	593	589	144	141	147	589	141	147	589	141
590	578	594	590	145	142	148	590	142	148	590	142
591	579	595	591	146	143	149	591	143	149	591	143
592	580	596	592	147	144	150	592	144	150	592	144
593	581	597	593	148	145	151	593	145	151	593	145
594	582	598	594	149	146	152	594	146	152	594	146
595	583	599	595	150	147	153	595	147	153	595	147
596	584	600	596	151	148	154	596	148	154	596	148
597	585	601	597	152	149	155	597	149	155	597	149
598	586	602	598	153	150	156	598	150	156	598	150
599	587	603	599	154	151	157	599	151	157	599	151
600	588	604	600	155	152	158	600	152	158	600	152
601	589	605	601	156	153	159	601	153	159	601	153
602	590	606	602	157	154	160	602	154	160	602	154
603	591	607	603	158	155	161	603	155	161	603	155
604	592	608	604	159	156	162	604	156	162	604	156
605	593	609	605	160	157	163	605	157	163	605	157
606	594	610	606	161	158	164	606	158	164	606	158
607	595	611	607	162	159	165	607	159	165	607	159
608	596	612	608	163	160	166	608	160	166	608	160
609	597	613	609	164	161	167	609	161	167	609	161
610	598	614	610	165	162	168	610	162	168	610	162
611	599	615	611	166	163	169	611	163	169	611	163
612	600	616	612	167	164	170	612	164	170	612	164
613	601	617	613	168	165	171	613	165	171	613	165
614	602	618	614	169	166	172	614	166	172	614	166
615	603	619	615	170	167	173	615	167	173	615	167
616	604	620	616	171	168	174	616	168	174	616	168
617	605	621	617	172	169	175	617	169	175	617	169
618	606	622	618	173	170	176	618	170	176	618	170
619	607	623	619	174	171	177	619	171	177	619	171
620	608	624	620	175	172	178	620	172	178	620	172
621	609	625	621	176	173	179	621	173	179	621	173
622	610	626	622	177	174	180	622	174	180	622	174
623	611	627	623	178	175	181	623	175	181	623	175
624	612	628	624	179	176	182	624	176	182	624	176
625	613	629	625	180	177	183	625	177	183	625	177
626	614	630	626	181	178	184	626	178	184	626	178
627	615	631	627	182	179	185	627	179	185	627	179
628	616	632	628	183	180	186	628	180	186	628	180
629	617	633	629	184	181	187	629	181	187	629	181
630	618	634	630	185	182	188	630	182	188	630	182
631	619	635	631	186	183	189	631	183	189	631	183
632	620	636	632	187	184	190	632	184	190	632	184
633	621	637	633	188	185	191	633	185	191	633	185
634	622	638	634	189	186	192	634	186	192	634	186
635	623	639	635	190	187	193	635	187	193	635	187



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As President Nelson Mandela begins a state visit, R. W. Johnson

From apartheid to togetherness

President Mandela begins a state visit to London today as his Government nears the halfway stage of its five-year term, having successfully weathered several crises.

The first of these, the departure of F. W. de Klerk's National Party from the Government of National Unity — something Mr Mandela tried hard to avert — has gone amicably and smoothly. Once, rumours of such a departure would have been enough to panic the markets, particularly if it was believed (as has indeed occurred) that many of the gaps left by the NP in the national and provincial governments would be filled by members of the Communist Party.

But those days are gone. For it is now generally realised that the African National Congress has in effect been in sole charge of government for some time, and that the Communists have essentially had their teeth drawn by the collapse of the Soviet bloc. Certainly, the markets have not reacted this time and business as usual has been resumed.

The second great question, that of the succession to Mr Mandela, has also been effectively settled in recent months with the triumph of Deputy President Thabo Mbeki on every front. P. W. Botha, the Minister of Telecommunications who had publicly resisted Mr Mbeki's plans for special privileges for the Government, was sacked and only readmitted to a (lesser) Cabinet post after he had been forced to eat humble pie, while Mr Mbeki's chief rival, Cyril Ramaphosa, has resigned the leadership of the ANC in order to pursue a business career.

Mr Mbeki lacks Mr Mandela's charisma and, for all his undoubted ability, is not universally liked, but both the ANC and the country now have a clear sense of the way ahead and one large uncertainty has been removed.

It is possible that an even greater breakthrough has been achieved in Kwa-Zulu/Natal, where the struggle between the ANC and

Chief Buthelezi's Inkatha Freedom Party (IFP) has cost 15,000 lives in the past decade.

The recent local elections there passed off far more peacefully than most observers had feared and both sides now seem to acknowledge that an effective stalemate has been reached: the ANC controls the major cities of Durban and Pietermaritzburg, the economic heart of the province, while the IFP controls all the rest. It is possible — though far from certain — that these results could herald a real détente between the two major black parties, especially since they are still in coalition at national level.

The situation is, however, finely balanced. The all too real danger is that IFP intransigence on the one hand and ANC triumphalism over their victory in the cities on the other hand could lead to an IFP walkout from the Government and a re-emergence of the bitter struggle in Kwa-Zulu/Natal.

It will take a wholly novel degree of magnanimity on both sides if this is to be avoided. Nonetheless, the unambiguous gain of the recent period has been a decline in political violence to the lowest level since the advent of democratic government. With no further electoral contests in sight for almost three years there is a real possibility of an extended period of calm and stability in South Africa's most troubled province.

Finally, the financial crisis occasioned by the dramatic 20 per cent fall in the value of the rand earlier this year appears to have been weathered. The rand seems now to have stabilised at about R6.70 to the pound and the Government

has again begun to talk of relaxing exchange controls. Nonetheless, the currency collapse came as a major shock to the Government — which has still to deal with the probable inflationary effects and industrial action which may be sparked by devaluation.

Business confidence has, moreover, been badly dented and estimates of this year's growth rate have been lowered from 4 per cent to 3 per cent or less — and South Africa needs at least 3 per cent growth to prevent unemployment from climbing. Only the most agile of foreign investors were able to enjoy the great run-up in South African bond and equity markets in 1995 and then get out in time. The effect has been to convince many of them that South Africa is a good place for short term punts in the bond market, but not for long term investment in real assets.

It is, of course, a major aim of Mr Mandela's visit to Britain to change that perception. Britain is South Africa's third biggest trading partner, by far its biggest foreign investor, and is still to a considerable extent its cultural metropole — so what Britain does matters enormously. Nonetheless, Mr Mandela's task is far from easy. Investors, both domestic and foreign, have become somewhat sceptical of merely verbal commitments from the ANC and want to see some real action — the menu always beginning with the key issue of privatisation of such large and inefficient parastatals as South African Airways or Telkom.

There is little doubt that Telkom, for example, badly needs an infusion of foreign capital and technology. It is committed to install three million phone lines by 2000 and to upgrade one million more at the same time. Last year it managed just 143,000 installations. At that rate of installation Telkom's target would be reached only in 2024. Yet thus far the most that anyone will discuss is the possibility of a minority foreign stake with the retention of state control over the corporation and guarantees to the unions of no job losses. Deutsche Telekom has been widely mentioned as a possible partner but Britain will no doubt wish to boost the merits of BT for the job.

The problem is not just that the terms of possible privatisation are unacceptable as they stand. In addition, the Government is threatening to take sweeping powers of industrial intervention to prevent employer lockouts, enforce affirmative action and cut wage/salary disparities. This is not a language that business, in Britain or anywhere else, understands or listens to.

Y et to meet the effective demands of foreign investors would mean that President Mandela would have to stage a complete showdown with the Communists and the trade unions — something he has vowed never to do. Nor can South Africa manage without foreign investment. Without it the Republic is doomed to ever higher unemployment (already more than 35 per cent) and ultimately to a degree of social instability and criminal violence that would nullify the advance of democracy.

The demands of foreign investors translate, in other words, into questions which may be too tough for the ANC-led Government to want to give a clear answer to at this stage. Many still put the emphasis instead on their sheer delight that a relatively peaceful and democratic transition has taken place in South Africa at all — which is essentially why so many British universities want to confer honorary degrees on Mr Mandela in a special ceremony at Buckingham Palace.



Thabo Mbeki, the Deputy President, will succeed Mr Mandela

Building plans

Once the front line in a war between rival political factions in the township of Thokoza, these days Khumalo Street is the preserve of boisterous children at play. Memories of the patchwork of no-go zones that divided the sprawling township near Johannesburg are fading after refugees flocked back to rebuild houses.

Residents, in what was one of South Africa's most notorious "hot spots", today talk excitedly about the rebirth of their community. Initiated in 1994 at a cost of R80 million, the Katorus project — covering the East Rand townships of Thokoza, Khatlehong and Vosloorus — was aimed at creating a secure environment for residents and providing basic living services. Former enemies have thrown their weight behind a security management project encompassing satellite police stations and a flying squad. Crime has dropped significantly, street lights have been repaired and pools of raw sewage have disappeared.

For all its faults — and critics say there are many — the project is a showpiece in the Government's Reconstruction and Development Programme (RDP). In April 1994, the ANC swept into office on a wave of euphoria, committed to an ambitious, needs-driven programme aimed at restructuring and transforming South African society to provide a "better life for all".

Aiming to solve the problems of unemployment, poverty and development, the RDP focused on job-creation, land-redistribution, provision of housing, water, electricity, telecommunications, health-care, education and improved policing. The ANC, through the RDP, boldly pledged to provide a million houses, piped water for a million and electricity for 25 million within five years. An office was set up and a minister appointed.

But after nearly two years of poor results, and against a backdrop of mounting criticism over the slow pace of delivery, on March 25 this year President Mandela announced the RDP office was closing, the money was re-directed to the Treasury and the minister, Jay Naidoo, moved. Criticisms levelled against the RDP from the start had proved well-placed: policy is one thing, implementation quite another.

Before the office's closure, about 5 per cent of the Government's budget was directed towards the RDP. Each department had its budget skimmed and then had to apply to get back a share of the money. To qualify for grants from the RDP, a cabinet committee had to draw up a business plan showing how the money would be spent to benefit the marginalised.

However, the procedure proved cumbersome and delivery painfully slow. Working through chaotic apartheid-era structures, implementation has been held back by laborious bureaucratic decision-making processes, the absence of delivery mechanisms at grassroots level, neglect of non-governmental organisations and the "centralist impulses" of ministers and their officials. The RDP added an unnecessary layer of bureaucracy and the department was resented by ministers who saw it as meddling in their affairs. Money went unspent.

The fiercest criticism over the RDP delivery has been reserved for housing. Only 40,000 low-cost houses have been built so far. The apart-

Inigo Gilmore
on a symbol
of hope for
millions of
South Africans

held Government managed the same amount in its final year in power. But to be fair, delivery on house building has proved to be far more complex than water and electricity where private sector support has been more forthcoming. From the outset Joe Slovo, the late Housing Minister, recognised the need for private sector involvement. Yet investing in the low-income housing market was not an attractive prospect for banks or property developers.

The culture of non-payment for services that grew out of opposition to apartheid has lingered, despite efforts to reverse the trend. Persuading banks to provide loans within this environment was always going to be tricky. Even the launch of the Loan Guarantee Fund by the Government to

RON HAVISABA/REA



The old: a mother and her children at their Soweto home

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assesses the Republic's progress and prospects



President Mandela enjoys the admiration and affection of South Africans of all races

There is perhaps a danger that too much time can be spent celebrating what is past, but for all the sense of policy drift that surrounds the Government, there is something to celebrate about the present, too.

Apartheid has gone, race relations are freer and better than ever before, a new constitution is at last in place, the economy is growing after years of decline, inflation is under 7 per cent, political violence is down and at least the first major difficulties of the transition have been surmounted.

There is no doubt that in these achievements South Africa owes a great deal to good political leadership when it mattered most, first from Mr de Klerk, who launched and carried through the democratic transition, and thereafter to Mr Mandela's calm authority and entire generosity of spirit, which have contributed so much to reconciliation.

He enjoys the unforced ad-

miration and affection of South Africans of all races who, as they compare their president with the likes of Banda, Obote or Mugabe, realise how supremely lucky they have been.

The Queen, who has invited Mr Mandela to Britain, must reflect that Britain has been lucky, too. For years the South African issue threatened to split the Commonwealth, with Britain almost fatally isolated from her friends. Now, all such worries are gone and the new president in Pretoria not only bears no grudges for that past but publicly says that a good relationship with Britain is the most important of all for his country.

He has led South Africa back into the Commonwealth, helped to usher Mozambique into the Commonwealth as well and provided a moral lead to the Commonwealth over the issue of Nigeria. It is far more than could have been hoped. Few visitors could be so welcome.

hit snags

cover potential debts has failed to reassure banks.

Yet there is room for optimism. Leading the field in stepping up delivery is Mpumalanga (formerly the Eastern Transvaal), thanks in large part to its energetic Premier. In May the provincial government backed the launch of a large-scale housing project in a joint government-private sector venture.

Where delivery systems exist, the RDP is close to meeting targets. The Government points out that about 400 water projects are bringing clean water to three million people, nearly three million homes have been electrified, R350 million has been spent on policing, 3.5 million children receive free school meals, nearly 300 rural clinics are operating and there is free health care for women and children under five. Many of the marginalised warmly praise the Government's efforts after the neglectful years of apartheid.

But in a country with more than five million unemployed and widespread poverty, the dark cloud of affordability hangs over the RDP. In some

recently electrified areas, residents living in shacks and houses cannot afford to buy light bulbs. At housing conferences speakers have lamented the unrealistic nature of a social programme that seeks to provide unaffordable homes for the poor. Almost half of the country's homeless population earn less than R1,000 monthly and only about a quarter of the population can afford a conventional house. To be able to build or buy a 30 square-metre home on its own plot a family would need a monthly income of at least R3,000.

The key to the RDP's long-term success is economic growth and the RDP's delivery timespan has recently been revised from five to 25 years. The Government insists that the aims of the RDP have not been abandoned and talks about moving towards smoother streamlining, reflecting greater recognition of the need for support from the private sector and non-government organisations.

The ANC is only too aware that the RDP remains an important symbol of the hopes of millions of South Africans.



The new low-cost housing is a priority for the Government

Trying for darker shade of pale

At a weekend media conference in February, F.W. de Klerk, the National Party leader, cheerfully introduced the party's first black minister, assuring his audience that his man was a "competent black". Black journalists angrily protested in national newspapers at the perceived insult.

It was hardly the ideal outcome for an event staged to sell to a sceptical South African media the new, non-racial Nationalists. The incident says much about the fortunes of the party that introduced apartheid and is forever being reminded of its ideals.

Earlier in February, at a gathering of the party faithful in Pretoria, Mr de Klerk, speaking six years to the day after he unbanned the ANC and released Nelson Mandela, sought to cast the new National Party as a Christian-based, value-driven organisation that would remove racial voting patterns in South Africa. But attempts by the "Nats" to reinvent themselves were immediately derided by the African National Congress and sections of the media. "They just don't get it," scoffed one parliamentary correspondent.

The National Party, like a wounded animal caught in an historical snare, appears trapped by its racially exclusive past and unsure how to break free without inflicting further injury. In the 1994

national elections the Nationalists obtained 20.7 per cent of the vote with majority support from whites, Coloureds (mixed race) and Indians. The ANC scored 62.7 per cent, mostly black with a sprinkling of support from other race groups. The Nationalists are only too aware that if they hold out any hope of returning to power this reservoir of black votes must be tapped.

Last month the Nationalists pulled out of the Government of National Unity, leaving South Africa's fledgling democracy without a viable opposition capable of more than carping from the sidelines.

Through their new role of official opposition the Nats insist that they can woo new support by offering a clear, and better, alternative to ANC rule regardless of race, creed or colour. But they are faced with a conundrum: how to maintain white support while reaching out to black communities that suffered under 48 years of apartheid rule.

There are no easy answers. Striving to become a darker shade of pale — yet not too pale — is no easy task in a highly race-conscious country obsessed with the past. The dilemma the Nationalists face was highlighted by the recent local government elections. To raise Coloured support they played on fears of African domination and issues like affirmative action,

POLITICS



F.W. de Klerk: dilemma

Trapped by its past, can the National Party reinvent itself?

perceived to benefit blacks at the cost of Coloureds. Similarly, by pandering to white constituents on a range of issues, Nationalist politicians have criticised policies that benefit blacks.

Mr de Klerk talks about a future non-white leader of the Nationalists and harps on about the realignment of South African politics — he has flirted with strategic al-

iances — but in the short term this seems nothing less than fanciful.

The recent local government elections in Western Cape and KwaZulu/Natal confirmed the basic pattern of racial voting first seen in the 1994 national elections. By and large most whites, Coloureds and Indians voted for the National Party, while blacks voted for the African National Congress and, in KwaZulu/Natal, the Inkatha Freedom Party.

Inkatha, which won 10.5 per cent of the vote in 1994, remains essentially a regional party and in its present form seems incapable of branching beyond the borders of KwaZulu/Natal. Local government elections in the province, under IFP control at regional level, gave the party 45 per cent of the vote but all main urban centres were lost to the ANC.

"The prospect of a change in voting patterns and political realignment away from race towards class, ideology and other issues seems to be as remote as ever," said Professor David Welsh, of the University of Cape Town. "Once ethnic and voting patterns become fixed they remain fixed for a long time."

The most telling debates in the run-up to the 1999 national elections are most likely to take place not between the parties but within the ANC, and among its allies, the Communist Party and the

Congress of South African Trade Unions (Cosatu). In large part this is because the ANC seems certain to dominate South African politics for the foreseeable future. It is possible that the party will split with the main battle centred on the economy.

Cosatu has already delayed government privatisation plans and made clear its opposition to outright privatisation. There is a negative perception that the workers have merely to raise their voices and the Government will back down. But Steven Friedman, director of the Centre for Policy Studies, says it would be wrong to assume that the ANC monopoly is suddenly under threat of disintegration, pointing out that there were serious differences within the tripartite alliance long before the ANC came to power.

Mr Friedman believes that the only way in which the ANC can get into serious trouble is if an influential ANC leader decides to break with the past, also an unlikely prospect in the near future. "Party loyalties are very strong and the ANC could be in power for a decade or two without being seriously challenged," he said. "South Africa seems set to follow the same path as Mexico or India where regular elections are held but one party continues to dominate for a long time."

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POP 1

The reconstituted Eagles take flight, but the music-making stays obstinately earthbound



POP 2

... while in Milton Keynes. Bon Jovi prove their stadium-rock credentials

THE TIMES ARTS



MUSIC

Cheltenham hears the first British performance of Magnus Lindberg's big new work



INTERVIEW

At 86, Constance Cummings is still game for a new Chekhov staging in Chichester

POP: The Eagles bring their favourites to the faithful; Bon Jovi take their music to the masses

Winging but no soaring

The Eagles
RDS, Dublin

The reunited Eagles opened the European leg of their *Hell Freezes Over* world tour by winging their way through a three-hour greatest hits selection at the RDS Showjumping Arena — but never exactly soaring above the ordinary. Back on the road for their first tour (which reaches England this week) since their acrimonious split in 1980, they opened with *Hotel California*.

You would be hard put to think of a less appropriate setting for this cautionary tale of the downside of the unadorned hedonism that was *de rigueur* on the West Coast in the 1970s, than a rainy Dublin horse-show stadium peopled by umbrella-wielding mortgage holders.

The tacky desert-themed stage design also seemed hopelessly out of place. Yet it was precisely because it gestures towards a world far more exotic than the one most of us inhabit that made it such a potent symbol of the Eagles' music. It suggested permanent sunshine and vast open spaces to drive a car through, on the road to the next party.

Of course, the reality was that in the Seventies Don Henley and co were as likely to be fleeing the narcotics unit of the local police department as sauntering into town footloose and fancy-free, but when *Peaceful Easy Feeling* is in full swing, such thoughts never enter your head.

This was the problem: it was all a bit too peaceful for my liking, and lacked that element of danger or unpredictability that all great rock concerts should have. And it was all too easy for Messrs Henley, Frey, Felder, Walsh and Schmitt: they had a job to do and they did it very professionally, ably assisted by four extra musicians. But they could afford not to take it to the limit because there were nearly 40,000 nostalgia-prone fans intent on enjoying themselves come-what-may.

And so every middle-of-the-road and adult-oriented rock classic that the LA-based supergroup relentlessly reeled off was welcomed like an old friend, with *Lyn'* Eyes the most warmly received of the pre-interval set that also included Timothy B. Schmit's mournful ballad *I Can't Tell You Why*, and more seasoned favourites like *Ordinary Avera-*



Together again: after 16 years apart, the Eagles started their European tour by playing three hours of their old hits, opening with *Hotel California*

age Guy and *One Of These Nights*.

Tequila Sunrise ended the 20-minute break, followed by a healthy smattering of songs from the Eagles' respective solo careers. Joe Walsh chipped in with *Help Me Through The Night*, as well as a rousing version of the Eagles classic *Life's Been Good*. Don Henley's *Boys of Summer* appears to have escaped from the Eighties remarkably unscathed, but Glenn Frey's *The Heat Is On* has not been so fortunate.

The giant video screens on either side of the stage were turned on for the last three songs and they seemed to make a difference with *Already Gone*, *Desperado* (which got all those lighters waving in the air) and the finale, *Take It Easy*, eliciting a passionate cheer rather than an appreciative clap, which had hitherto been the more common response from the audience.

NICK KELLY

Rock'n'owl champions

Bon Jovi
National Bowl,
Milton Keynes

Bon Jovi are a good-time party band on a stadium scale, and that is now official. Confirmation came mid-show as I stood next to two enthusiasts in this giant paddock of a venue. Already swaying contentedly from the combined effects of the music and their efforts to drain the nearest bar, they stood with 14 pints of lager at their feet. Just enough for two to celebrate the rest of the evening with the New Jersey giants and their big-boned rock 'n' roll.

Earlier, Joan Osborne continued her golden year with a boldly mounted set of material from the *Relish* album. She showed admirable understanding for the requirements of an outdoor show of this magnitude, in which a mild-mannered singer-songwriter would sink in the quicksand of the open spaces.

Instead of adding to the atmosphere of distracted anticipation that is often the lot of the second-on-the-bill, she communicated and connected with a strident version of her hit *One Of Us*, and others such as *Right Hand Man* and *St Theresa*. As Osborne said with piquancy: "Chicks with acoustic guitars, we're

everywhere, man." The set was decked out in fairground style, although not many local hucksters are fortunate enough to have Volkswagen branding all over their rides. Bon Jovi have long been the optimum band for corporate sponsorship with their large-scale rock anthems, a portfolio of universal ballads, more than a dozen years' road experience and the kind of mediagenic frontman that any company would die for.

Their tactics on this tour, as ever, are the right ones. Go for lots of close-ups of Jon Bon Jovi on the video screens and give the people 67,000 of them here, by his estimate) the hits. Of which the catalogue is now fat. British audiences may have been a little tardy in buying into the Bon Jovi phenomenon on a regular basis, but the band had 11 Top Ten hits to their name here even before

the current *Hey God* appeared. Five of those were recently rattled off in little more than a year, and their *These Days* album has a double platinum season-ticket to our charts.

None of this has been achieved with any particularly fresh wiles. The singalong spirit of *You Give Love A Bad Name*, *Bad Medicine* or *Someday I'll Be Saturday Night* is a shameless hand-me-down from earlier rock totems, and the guitar shapes of Richie Sambora are the same dimensions as many an earlier axe hero.

In these wide-open spaces, the standard-issue big ballad, be it *Bad of Roses* or *This Ain't A Love Song*, may have had something of a main finish, but "Round One of the Milton Keynes Bowl," as Mr JBJ put it, still gave them a comfortable victory.

As for our berry friends, one of them was seen disappearing into the crowd with pints in one arm, a new female friend on the other, and an extremely wide smile on his face.

PAUL SEXTON

NEW MUSIC: Two premieres at the Cheltenham Festival

THE festival director Michael Berkeley has a radical policy of including at least one work by a living composer in every concert. It has done Cheltenham nothing but good. True, sponsors have been no easier to find, but the programme feels more vigorous and the audience seems at last to be getting younger.

At the same time, musicians who might not be predisposed towards the contemporary repertoire are being persuaded to think again. Vassily Sinaisky, musical director of the Moscow Philharmonic and shortly to become the principal guest conductor of the BBC Philharmonic, is a case in point.

Alive and tricky

Nash Ensemble/
BBCPO/Sinaisky

It is difficult to think of Sinaisky taking on a work such as Magnus Lindberg's *Arena* in normal circumstances. But there he was in Cheltenham Town Hall, in the

1996 festival's first orchestral concert, conducting the BBC PO in a highly organised British premiere of a substantial and tricky contemporary score.

Written for the Sibelius Conductors' Competition in Helsinki last year, it makes much more sense in this original version than in the chamber-orchestral arrangement (*Arena 2*) recently adopted by the London Sinfonietta. It needs full orchestral resources to realise the breadth of the structural concept — a high-energy mass of motivic detail gradually working itself out in its progress towards a broad, subdued and highly effective climax. Time and care spent in rehearsing such brilliant scoring are well rewarded.

The main feature of the first of the morning concerts in the Pitville Pump Room was a chamber-scale companion piece to Simon Bainbridge's recent *Ad Ora Incerta* for mezzo-soprano and orchestra. His *Four Primo Levi Settings*, commissioned for the occasion by the Cheltenham Festival, were inspired by the same poet and similar post-Holocaust reflections but written for the much more intimate company of mezzo-soprano with clarinet, viola and piano.

Performed by Susan Bickley with the Nash Ensemble — the first of them significantly tolling the macabre B-flat bell of Ravel's *Le Giber* — they offered an experience of brooding, intense melancholy. Alfred Schnittke's brief but expressionist *Mutter*, performed (for the first time in this country) by the same musicians, seemed almost frivolous in comparison.

GERARD LARNED

Still the star at 86

Jeremy Kingston meets the former Ronald Colman leading lady playing in *Uncle Vanya* at Chichester

Fifty years ago, in the David Lean film of *Blithe Spirit*, Constance Cummings played Wife No 2, talking at furious cross-purposes with Rex Harrison while he was arguing with the ghost of his Wife No 1. She had already been acting in films since the early years of the talkies, and this week she opens in Bill Bryden's star-studded production of *Uncle Vanya* at Chichester, playing Vanya's blue-stocking mother, too busy reading her pamphlets to notice the hearts breaking around her.

She was born in Seattle in 1910. Eighty-six years young is how they put these things in America, and you can see why when you meet someone as lively, lovely and likely to break into giggles of merriment at the memory of something that happened on Broadway or in Hollywood ten or 11 American Presidents ago.

We meet at the end of a day's rehearsal in Chelsea, only a couple of hundred yards away from the house that her husband, Benn Levy, commissioned from the architect Walter Gropius back in 1936, and which has been Cummings's home ever since. "I managed to escape from my contract with Harry Cohn at Columbia, came over here to make a film and never wanted to go back," she says. "My mother took a bit of umbrage, because she felt I should have missed America more than I did, but I didn't."



Constance Cummings giggles over Broadway

of 20 when she was plucked from a Broadway show and whisked off to Hollywood, in what sounds like the cliché scenario of far too many Hollywood movies. On Friday understudying the juvenile girl in *June Moon*; Saturday afternoon put on to play the role with the other understudies so that the management can see whether she is good enough to send out with the road company.

"It just so happened there wasn't much going on in the theatre at that time, and a roving reporter on the Sun heard that this was happening so he went in and saw the play, and wrote a charming little piece saying how nicely we had done it. And the next thing I knew I was being given a film test and taken out to

lady to Ronald Colman." As in all the best tales of this sort, something new goes wrong. "I filmed for about four days — and I was fired! [giggles of laughter] That took me down a peg. They thought I just wasn't sophisticated enough, you see, to play the part."

She and her mother are about to return miserably to New York when the plot takes its next twist. "Ronald Colman, who was a charming man, knew what a terrible blow this was to me, and he said to a friend of his, who was with Myron Selznick, a great big agent in those days, 'Look, just get her one job in any film so that when she gets back to New York she can say, 'Oh, well, I just did a different film.'"

"And Myron Selznick sent me over to Harry Cohn to make a test for the girl in *The Criminal Code*. I had a scene with Walter Huston, who played the lead, and he said, 'Look, I do like to rehearse a scene like this before we get on the set. Can we do that?' And I had a kind of feeling that he really didn't work in that way, but we did rehearse it, and so I was at ease when we made the film."

"Then, after about two years, I got three months off to come to England. I'd never been out of America before, so I thought, Yippee! And I came and never looked back."

Uncle Vanya opens at the Malthouse Studio, Chichester, 10.24.3

Demonstration of Baroque con brio

CONCERT

Accademia
Bizantina
St James, W1

THE penultimate concert of the Lufthansa Festival of Baroque Music offered a compressed conspectus of the concerto grosso: from its first brilliant flowering with Corelli in Rome, through Corelli's pupil Geminiani (working in London) and culminating in the mastery of Handel.

The performers were the all-male Italian group Accademia Bizantina, directed by Ottavio Dantone. The repertoire of the ensemble ranges from Baroque to contemporary, but in matters of 18th-century style it delivers the goods with panache and self-confidence.

Two concertos from Corelli's finest set, Op 6, opened the programme: No 4 in D and No 12 in F. With Stefano Montanari an inspirational leader, the players varied their attack, easing expressively into some phrases, initiating others with a decisive collective downbeat.

The third and fourth concertos of Geminiani's Op 3 brought a greater textural richness and sense of drama, to which the players responded with enthusiasm. But it was the Op 6 concertos by Handel (No 1 in G major and No 10 in D minor) that demonstrated most clearly the ensemble's willingness to take risks. The opening movement of the G

major exaggerated the staccato and dotted figures to produce a haughtily strutting effect, while the fast movements were an object lesson in finely nuanced phrasing and skilful interweaving.

The French Overture of the D minor was done with a pronounced dynamic scheme (falling, then rising again) that aptly mirrored the harmonic tensions of the movement. More controversial was the final allegro moderato, played more like an andante with a decidedly mincing gait. I almost hoped that it might be repeated as an encore at something like the usual speed — twice as fast — but it was characteristic of Accademia Bizantina to end with such a provocative gesture. And besides, for an encore they gave a ravishing adagio by Tartini, with Montanari supplying embellishments worthy of the ancient maestro himself.

BARRY MILLINGTON

CLASSICAL CHOICE

A guide to the best recordings, presented in conjunction with Radio 3

STRAVINSKY:
SYMPHONY IN THREE
MOVEMENTS
reviewed by Michael Oliver



Stravinsky's *Symphony in Three Movements* was the first major work that he composed in America after leaving France at the beginning of the Second World War. By then a world-famous composer, he was anything but a rich one. Unsuccessful attempts to obtain money-spinning work took precedence over serious work, and he did not start writing the symphony until 1942. At one time he may have intended it as a piano concerto: a solo piano is prominent in both faster movements.

But in the central slow movement the "soloist" is a harp. Stravinsky's friend Franz Werfel had put his name forward to write the music for a film of his novel *The Song of Bernadette*. Stravinsky eagerly began writing, but the studio opted for another composer. Too good to waste, the music was recycled in the symphony, between movements filled with the anxious tension of Stravinsky's life at this time, and with echoes of war.

He thought of it as a war symphony, musical ideas being suggested by newsreel footage of Nazi soldiers goose-stepping, Japanese "scorched earth" tactics in China and, as work on the finale proceeded, news of Allied victories.

Stravinsky conducted the symphony's premiere, and he recorded it twice. His 1961 recording (Sony SM2K 46294) is drily recorded, but still a benchmark, especially in the tricky matter of relating the speeds of adjacent sections.

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■ VISUAL ART 1

The essential Bacon: Paris pays homage with the first big retrospective since his death



■ VISUAL ART 2

... while in Norwich more Bacon, from the Sainsbury collection, goes on show



THE TIMES ARTS

■ VISUAL ART 3

Classically abstract: Max Bill and Georges Vantongerloo are displayed in London



■ TOMORROW

Instrumental in the making of a musical: how Jonathan Tunick scored *Martin Guerre*

VISUAL ART: A major Francis Bacon show in Paris; Bacon, Giacometti and the Sainsbury family in Norwich

Evolution of a maverick genius

After major artists die, their reputations often suffer an eclipse. Unwieldy memorial exhibitions are held, burying the kernel of their achievements in an excess of repetitive images. Impatient with the aura of pious pomposity, critics recoil and puncture the veneration with relish. So the Francis Bacon show at the Pompidou Centre in Paris, the first full-scale retrospective since his death four years ago, is a testing occasion. It could easily have been an indulgent affair, battering the viewer with a wearisome urge to overwhelm through sheer bulk. But the selector, David Sylvester, has refused to bombard us. Restricting the exhibits to a well-judged total of 95 images, including a surprising cluster of little-known works on paper, he concentrates on presenting the essential Bacon alone.

The outcome is enormously powerful and moving, a triumphant exhibition which establishes Bacon beyond doubt as the finest British painter of the 20th century. Each canvas is given plenty of space, often hanging isolated on a wall. But the rooms themselves are never so large as to diminish the paintings' impact. Bacon's pictures draw us into an intensely private realm, a world of disclosure and often painful intimacy. We are confronted, above all, by recurrent images of solitary human figures. Marooned within clinical interiors, they seem at once exposed and trapped by their surroundings. However violently their bodies may twist and writhe, they cannot burst out of the boundaries enclosing them. The wonder is that they retain so much animal energy. Even at their most desperate, when they scream, the convulsive heads possess formidable latent strength.

Why did Bacon take so long to develop such a single-minded vision? The earliest exhibit in the Paris show, a small *Crucifixion* painted when he was only 24, proves that the young Bacon already knew what his imaginative priorities would be. Christ is more like ectoplasm than a solid body. White against a nocturnal ground, and clasped by an equally blanched mourner, this attenuated figure seems lost in the void. Only months after it was painted, *Crucifixion* was reproduced by Herbert Read in his 1933 book *Art Now*. But this precocious recognition proved stillborn. Only two other paintings from the 1930s are included in the exhibition, and Bacon did not establish himself as an artist until the late 1940s.

Perhaps his lack of conventional training made him uncertain of his abilities before then. Perhaps, too, he was mortified by the gulf between his lack of success and his ambition to become an outstanding painter.

Just how prodigious his talent really was emerged, with sudden finality, near the end of the Second World War. The triptych he exhibited in 1945 has lost none of its searing power. Taking the crucifixion as his theme once again, he decided this time to concentrate on three disconsolate figures at the base of the cross. In a Renaissance altarpiece, they would bewail the suffering of

He makes most other British painters of the period look timid

the martyr above them. But he is nowhere to be seen. Bacon clearly could not bring himself to acknowledge Christ's existence any more. The protracted brutality of the war years had reinforced his conviction that the world was godless. So the three lurching figures, each stranded on a parched orange panel, can only yell out at the savagery of a universe without meaning. Half human and half reptile, they deplore their plight. And the hybrid in the centre, eyes covered with a cloth, rails against the cruelty of those responsible for blinding him.

Like the 1933 *Crucifixion*, this triptych owed a debt to Picasso's alarmingly deformed bathers of the late 1920s. But Bacon had by then established himself as an artist of harrowing individuality. During the next few years, he elaborated his vision with awesome eloquence and conviction. Although the figures remain isolated, they gradually move towards the contemporary world. The hybrid becomes human, wearing a 20th-century hound's-tooth overcoat and burying his face in flowers. Bacon's fascination with the scream persists, and yet it erupts now in curtained bedrooms redolent of anonymous hotels. The first face based on Velazquez's portrait of Pope Innocent appears, proclaiming Bacon's willingness to pit himself

against the masters of the European tradition. But this Pope is just as agonised as all the other yelling mouths, and he finds himself imprisoned within an ominously modern cage.

By 1949, Bacon is prepared to disclose something of his erotic infatuation with the male body. In a superbly confident and subtle painting he shows a pale, bull-necked nude passing through grey curtains towards blackness beyond. Compared with Hockney's lyrical images of tanned Californian men in the shower 15 years later, this nude seems sinister. He could easily be aggressive, and the white safety-pin painted so surprisingly on the curtains adds to the sense of unease.

At this stage, Bacon stops short of confirming these implications. He prefers to hint at them, just as he suggests in a tall 1950 canvas that the figures glimpsed through a door or window might be caught up in a crime. His reliance on photographic sources helps to account for this feeling for snatched, unexplained events.

By this time, he must have come to regard his lack of art-school education as an advantage. The exhilarating willingness to improvise gives these early paintings a terse sense of danger. Bacon takes extraordinary risks, often leaving ample expanses of canvas bare and disdaining all conventional notions about "finish". He makes most other British painters of the period look timid. Often the brush is dragged raspingly across the picture, like chalk on a blackboard. But Bacon is now just as able to invest other areas of the same painting with sumptuous, seductive brushmarks. His readiness to veer between these two extremes gives his work its unique quicksilver tension, and helps to explain why this retrospective is so enthralling.

On occasions, he paid the price for his audacity. Bacon's aversion to "finish" can look scrappy, while his innate sense of theatre sometimes looks melodramatic. As the 1960s proceed, though, he gains a greater breadth and assurance. His fascination with the triptych format grows, leading him towards a heightened grandeur. However anguished his figures may become, their suffering is offset by a vivacity even more irrepressible than before.

When I first met Bacon in 1971, just before his retrospective at the Grand Palais, he told me that "after the Paris show, I'm going to deliberately set about painting an



The central panel of Bacon's *Triptych*, May-June 1973: "the elegiac emotion is unmistakable"

autobiography". He never fulfilled this ambition, but the gruesome death of his partner, George Dyer, on the eve of the Grand Palais exhibition, did trigger a profoundly impressive sequence of grieving triptychs. The autobiographical impulse takes on a confessional character in these great lamentations. Dyer is seen, successively, as a clothed and silhouetted figure pushing a key in a door-lock, naked on a chair in front of a black opening, and slumped in the hotel bathroom where he died. Bacon removes the simplified surroundings from any narrow fidelity to recognisable

places, but Dyer's face remains unmistakable and so does the elegiac emotion behind the paintings.

An awareness of mortality had always been evident in Bacon's work, even when his figures were at their most vital. At this juncture, however, the presence of death is inescapable. After the Dyer threnodies end, the bodies in Bacon's work gradually shed their solidity. Signs of tiredness are detectable in his late canvases, yet I also believe that the ageing artist was searching for a way to convey a new obsession: corporeal disintegration. Even a

sister as youthful as John Edwards seems about to dissolve into the encircling darkness.

The prospect of extinction must have been especially galling to someone with Bacon's inexhaustible appetite for life. But he did not flinch from defining the dissolution of himself and his friends, just as he had exposed the final fragility of Christ in that spectral little *Crucifixion* more than half a century before.

RICHARD CORK

Francis Bacon is at the Pompidou Centre, Paris (01331 44781233) until October 14

A vision of the truth behind the mask

Timed to coincide with, and complement, the Francis Bacon exhibition currently in Paris is *Trapping Appearance* at the Norwich Sainsbury Centre. It brings together works, mainly portraits, by Bacon and Giacometti from the Robert and Lisa Sainsbury collection and displays the artists in counterpoint. Walking down the aisle of display screens in one direction, all that is visible is Bacon; in the other, all Giacometti.

The immense ceiling height in Norman Foster's building gives a feeling of space to the Sainsbury Centre's exhibition

area, but no monumentality. The screens create domestic-scale settings that have the effect of softening the rawness of the Bacons and, seeing them up close, heightening the quiet intensity of Giacometti. It is a deft juxtaposition which serves to point up the powerfully sculptural quality of Bacon's art.

Both these great postwar artists were friends of the Sainsburys, who introduced them to each other, and were collected by them in the 1950s and early 1960s. The three portraits of Lisa by Bacon are survivors of two years of sitting for him "as an act of

friendship" which produced eight canvases, five of which Bacon destroyed. The portrait of Robert Sainsbury was a commission from Lisa in 1955.

In no sense is this show a survey. Taken as a whole the works are segments of two artistic careers, segments that coincidentally catch the inspirational power of the painter Isabel Rawsthorne in a bronze portrait head by Giacometti and a triptych of heads by Bacon — perhaps the most moving works in the show.

Bacon was famously reluctant to paint portraits, fearing complaints from his sitters: achieving a good likeness was not his aim. People were fonder in his search for emotional states of being, generally the extremities of emotions released in sex or death. Trapping appearances was



Bacon's *Sketch for a portrait of Lisa*, 1955

not a primary concern for either artist: both were seeking an emotional or spiritual reality behind the facade. It is this appeal to deeper instincts, present in the work of Bacon and Giacometti, that

characterises the entire Sainsbury collection across its huge global range.

Robert and Lisa Sainsbury insist that they never originally set out to form a collection. "I have never collected. I may be a passionate acquirer, but all by accident," Robert Sainsbury says. The acquiring started in the early 1930s when Robert bought his first piece, the bronze *Head of an Infant* by Epstein. In about 1935 he saw the African Fang mask in Paris and bought that too.

Picasso, Epstein and other artists also collected primitive, mainly African, art before the Second World War and through their own work gave it a 20th-century context. It was, however, extraordinary at that time to see a Fang head as art, on a par with Western art, and to mix the two

cultures together. "We have always been considered quite mad in terms of our collecting," says Lisa. Just as they were considered mad to sit for the unflattering Bacon, or to commission a building from the then almost unknown Norman Foster to house their collection at the University of East Anglia in 1978. The Sainsbury Centre was Norman Foster's first public commission and, although there was no brief, the object was to house the collection (which has grown to 1,200 objects) and the School of Art History under one roof. Architect and clients virtually designed the building together. The result was a glass and aluminium box that was entirely unconventional in having very few enclosed spaces but acted as a tent for the collection, a library, teaching areas, offices and a restaurant.

When it came to displaying the collection, Robert Sainsbury explains that "Norman and his staff had very definite rules: no wall cases, all objects should be able to be walked around and the tops of the cases should all be the same height. I wanted chairs and tables in the living area to encourage people to come in and sit down."

Today, walking through the honeycomb-like spaces that group the collection you encounter surrealist artist Leonora Carrington opposite a Zairean dance mask sewn with cowrie shells and beads, or a 1909 drawing by Picasso of a seated nude next to a roughly contemporary housepost figure from New Guinea. "I would love to have done a book of objects from different civilisations comparing objects from different dates and different parts of the world," says Robert. The Sainsburys' belief in the importance of visual cross-culturalism was behind their

gift of £4 million to the British Museum earlier this year.

ISABEL CARLISLE

Trapping Appearance: portraits by Francis Bacon and Alberto Giacometti from the Robert and Lisa Sainsbury Collection is at the Sainsbury Centre for Visual Arts, UEA, Norwich, until September 15

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CHOICE 2

Sir Charles Mackerras conducts Welsh National Opera

VENUE: This week in Llandudno

THE TIMES ARTS



THEATRE 1

Urban muddle, Dublin style: a fine young Irish playwright shows his mettle at the Bush



THEATRE 2

Battersea mounts a three-week festival in honour of the American writer Sam Shepard

THEATRE: Benedict Nightingale on a fine newcomer; and the Shepard festival

Gripping tales of grotty nights

MARILYN KINGWILL

This Lime Tree Bower Bush

And still they come. Here's yet another young, dauntingly gifted dramatist evoking the ennui and muddle of urban life today. The difference is that 34-year-old Conor McPherson has not set *This Lime Tree Bower* in London, as Joe Penhall did his *Some Voices* or Nick Grosso his *Peaches*, or in a British seaside town, like Judy Upton's *Ashe and Sand*. McPherson is Irish and his location is a grotty resort, all betting shops and fish-and-chip cafes and cheap discos, somewhere within drunken stumbling distance of Dublin.

Whether or not McPherson has been influenced by his British cousins, or has simply picked up on the temper of the times, he has clearly borrowed a technical trick or two from his veteran compatriot, Brian Friel. Like *Friel's Healer*, *This Lime Tree Bower* consists of monologues directly addressed to the audience. But the monologues are shorter, the changeovers more frequent. And nobody could suggest, as I fear some did with both *Healer* and *Friel's* rather similar *Molly Sweeney*, that the pace is too sedate.

They are an oddly assorted lot, McPherson's trio. Two are brothers: Niall Shanahan's Frank, a lugubrious lad in his



Niall Shanahan, Conor Mullen and Ian Clegg are unlikely boozing companions in a dead-end Irish seaside resort

twenties who helps in his father's cafe, and Ian Clegg's Joe, an insecure schoolboy who has fallen in with bad company. The third, Conor Mullen's Ray, is the most surprising, since he is a university lecturer and seems to have little in common with the other two except a taste for booze. McPherson's slightly lame excuse for his matinee with the brothers is that, in between bedding the occasional student, he is having an

affair with their sister. Nothing else is lame, though. Each character has a refreshingly unconventional tale to tell. Innocent Joe goes to a disco with a precocious, unscrupulous schoolboy, who rapes a drunken girl on the way home. Boring Frank contrives to get himself a gun and hold up the local betting shop owner, who is harassing his father to repay a loan. Wild, sly Ray plans to make his name by betting a visiting professor in argu-

ment. But when his big moment comes, he is too hung over to do anything but astound the assembled academics by vomiting copiously. McPherson, who also directs, is fortunate in a cast unfaltering in its understanding of his talents, which include verbal energy, humour and an eye for both telling detail and the larger picture. You end up with a strong sense of the offstage characters, who include Joe's friend's

lounge mother and her current boyfriend and the betting shop owner's nephew, a weird, infantile figure who sounds like Noddy as he might have been reinvented by Ian McEwan. You are also left feeling that you have munched fairly chips in Frank's cafe and drunk weak lager beneath the pink fluorescent lighting in Joe's sleazy dance hall. But would McPherson please give us a little dialogue next time? That is a challenge he must meet.

Schizoid selection

Sam Shepard Festival BAC, Battersea



Disturbing: Eric Loren and John Sharian in *A Lie of the Mind*

being more cruel than caring towards the surviving cripple whom he denies is his child. Tucking into a banana split, he insists that his son's death in action should be celebrated, yet (per haps a genuinely grieved parent)

constantly asks exactly how he met his end.

At the other table a stuffy respectable couple are frozen in their chairs, moaning about the lunatics yet themselves indulging in perverse fantasies. In a wonderfully oddball moment of humour and hope, the lifeless husband breaks into a country ballad and the waitress rolls around the floor in a happy dither with the soldier. Still, Michael Kingsbury's cast could be more savagely guing and Shepard's meaning is hard to unscramble.

A Lie of the Mind seems, conversely, schematic. Its alternating scenes follow co-dependent lovers, kept apart by their families after Jake's violence leaves Beth brain-damaged. Both are in severe shock and confused. Each is cared for by a sturdier brother. The protection provided by their siblings

and parents seems increasingly abnormal in both homes. This play and *States of Shock* intriguingly grapple with similar worries. Pat Starr as Jake's possessive Ma is boldly comic with a vicious edge but elsewhere the subnormal and psychotic acting lacks conviction.

Really startling is Shepard's dreamlike, deranged *Suicide in B Flat*, superbly presented by Threshold Theatre Company. A macabre pianist flexes his fingers behind a funeral black scrim and starts to improvise. Cacophonous jazz mixes with the spoken word.

A pair of private detectives out of some old film noir walk into the extraordinarily experimental theatre piece. They think they can solve a murder mystery by casually simulating the death of a composer who, maybe, blew his own face away after losing hope of ever being original. The private eyes (splendidly amusing Shaun Prendergast and Ian Barnes) find themselves gripped by despair, dancing slowly with knives, haunted by gum-chewing, cool-cat ghosts. Sharply funny and disturbing.

KATE BASSETT

LONDON

BIRDY William Whiston's award-winning novel about a boy's obsession with flight, adapted by Naomi Wallace, directed by John Hughes. King's Theatre, London (0171-741 2311). Preview: tonight 8pm. Opens July 15, 7pm. Until August 17.

FALSTAFF Palace Opera presents Verdi's last — and perhaps greatest — opera in a new English translation by Jonathan Fenby. The familiar themes of Italian comic opera are overlaid with the complexities of Elizabethan comedy and Verdi's inventive music. Holland Park, London (0171-602 7858). Tonight: Sat 7.30pm, mat 2.30pm. (S)

RAMBERT DANCE COMPANY Britain's oldest established dance company celebrates its 70th anniversary with two programmes at the Coliseum. *From the Ashes*: 7.30pm. *From the Ashes*: 7.30pm. (S)

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ELSEWHERE

EXETER Northcott Theatre Company presents an outdoor production of *Ashe and Sand*.

TODAY'S CHOICE

A daily guide to arts and entertainment compiled by Gillian Meezy

YOUNG LIKE ME John Dunning directs Shakespeare's comedy of love among the brambles in the romantic surroundings of Rosemary Gardens. Rosemary Gardens (Box office 01392 493 493). Tonight: 8pm. Then Mon-Sat, 8pm. Until August 3.

LEEDS The multifarious voice of Stephen Vanzo, bass, is a welcome presence at the York Early Music Festival. Peter Seymour, harpsichord, accompanies a programme of music by Mozart, Haydn, Beethoven, Zeller, Curne and Reschard.

LIVERPOOL The Summer Pops tonight gathers momentum with Carl Davis conducting the Royal Liverpool Philharmonic Orchestra in an evening of classical music by Beethoven. Highlights include the *Moonlight Sonata* and Timothy Horton playing the *Emperor Piano Concerto*.

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LONDON GALERIES

British Library Galleries The Mythical Quest (171-323 7111). British Museum, London (0171-636 1555). Closes: The Four Elements (171-873 2526).

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LAW

● HOPEFUL TRAVELLING 39
● LAW REPORT 23



Syed Akbar of the BCCI scandal, left; Elizabeth Forsyth, former Asil Nadir employee; Nick Leeson of Barings; and Muhammed Navide, the former chief executive of Arrows: all were the subject of successful prosecutions after major investigations by the Serious Fraud Office

SFO at a turning point?

John Knox sets the scene as the frequently criticised Serious Fraud Office publishes its annual report

Yesterday the Serious Fraud Office published its annual report. As with most such reports, whether of public or private bodies, this is an exercise in public relations. Difficulties are carefully covered, except where there is a possible gain in exposing them. No mention, for example, is made of the Treasury and Civil Service Committee and its questions arising over the prosecution's handling of the Roger Levis case.

The report will be keenly scrutinised. The office, under George Staple's directorship, was given a resounding endorsement in the wake of a review on its future by the Davies committee. Ending any speculation that the office would be abolished, the Attorney-General announced in March last year that it would remain a separate department and that its workload would be enhanced.

In June 1995 the office published changes in its criteria. The most immediately noticeable was a reduction in the minimum value of fraud for investigation from £5 million to £1 million. The latter was the starting point for the SFO when it became operational in 1988. The effect of inflation, however low on a year-to-year basis, means that the office is now into frauds of a lower real value than ever.

The report shows that the SFO has had a very good year. Not surprisingly, the caseload increased from 50 at the start of the year to more than 70 at present. Also, there has been a marked shift towards cases outside the London area. The larger caseload and broader base must strengthen the office and moderate the effects of the unpredictable nature of the incidence of cases.

Contrary to previous views about the SFO, it has, the report shows, a good conviction record. There were convictions in ten out of 11 trials completed in the year. Though the Maxwell trial led to no conviction, there was no significant press or judicial criticism of the office's handling of that case. In any case, the function of the office is to investigate and then prosecute; the outcome of the criminal justice system depends on players outside the prosecuting authorities.

The SFO has just completed a reorganisation of its management structure. It has reduced management layers, and re-grouped staff into five operating divisions, each linked with a geographical area, thereby improving liaison with the regional police forces. The changes have some obvious benefits, not least because they are welcomed by the police. A policy division was also introduced.

These welcome developments have not, however, come without problems. Any organisation increasing its caseload by almost 50 per cent in one year and expecting to increase to about 100 per cent over two years is likely to feel a degree of strain. It is perhaps a reflection of central drives from the White Paper on Continuity and Change that the structural changes have taken place at the same time as the workload has greatly in-

creased. But the report argues that the changes make it easier to deal with the bigger workload. Yet the changes sit uneasily beside the impressive results of the year, obtained by the previous system.

Moreover, the new divisional arrangements have a debit as well as a credit side. The multidisciplinary stance of the SFO has been weakened in favour of a lawyer-driven structure and the flexibility of deployment of staff will be less with the establishment of divisional "baronies". The five operating divisions seem too many for the number of staff in each and for the director to have an easy span of control. These arrangements are likely to take some time to bed down.

The financial position of the office is more challenging still. The step upward trend of the caseload is accompanied by a downturn in financial resources. The amount available for the current year — £16.69 million — is less than any year since 1990-91. The director points to the problem and expects transfers from the Crown Prosecution Service. He can count on resistance. Consider the detail of the demands ahead. After the immediate surge of cases under investigation, the number coming to trial must rise from 11 in 1995-96 to, say, 40 a year, given that a caseload of 100 is expected and the cycle can be estimated at about 30 months.

This will mean three times as many trials, and many of the costs will be outside the SFO's immediate control. Even with some cases abandoned, how will it cope without a sizeable increase in its present funding?

Take also the impact of the move to regional cases. A small central staff will need to deal with more cases 200 or more miles away. Practice will have to change, as the report accepted by the Attorney-General recommended, so that smaller cases are given simpler treatment. This means leaving cases in the hands of the regional police, but they need help from the SFO. The sensible step would be to provide local accountability and other support to the police guided by the SFO and without the cost of supporting its own staff away from London.

Little funding for an extension of such a practical step appears available and this lighter central touch will take time to be accepted by those in the SFO accustomed to the pre-1995 working practices.

A further problem lies in the SFO's relationship to the police. The director has no control of the police who work in conjunction with him and the Davies report emphasised the need for greater accountability. Since then, the SFO has danced a minuet with the police, aimed at a memorandum of understanding, which is not completed. But the report suggests no change in this central position.

The memorandum is likely to shift the boundary of the relationship with the police. But greater reliance on the

local police in smaller cases was part of the message of the Davies report.

As with Derek Lewis and the Prison Service, the task of an executive body inevitably links with policy considerations. So the director is commenting on improvements to the system, referring this year to international aspects. He points out that other countries still rely on legislation not designed to assist with the investigation of international fraud. He is rightly keen to ensure that the SFO has the skills needed and that its powers are reciprocated by the international community.

It says much for my former colleagues that they have the resilience to press on through the criticism of past years to grapple with the problems immediately ahead.

● The author retired in May after six years as deputy director of the Serious Fraud Office and is now a consultant to the accountants Pannell Kerr Forster.

Shock outbreak at the Law Society

There is no controlling the outbreak of democracy at the Law Society. Last year we had four candidates in the first contested elections for 41 years. This year there are nine candidates for president, vice-president and deputy vice-president.

The past few months have seen the emergence of an embryonic party of supporters of Martin Mears, the president. Factions are developing as Anthony Bogan, a former Mears supporter, fights his own campaign for president on a platform of splitting the society into two bodies. So far, and no doubt for fear of the tabloids, no whips have been appointed. No one wants to see headlines such as "Law boss in whipping sensation".

The campaign manifestos are noticeably slicker than last year and there is less of the samizdat feel. In particular, Tony Girling's campaign for president has been professional and attractively presented. It was presaged by a campaign to get a candidate to oppose Mr Mears. This campaign blamed Mr Mears for media criticism of the society and warned the electorate that the society was losing influence among opinion-formers. Meanwhile, Mr Girling, the current deputy vice-president, was waiting to be called forward to lead. A further astute move was to add Michael Matthews to his ticket as candidate for deputy vice-president. The significance is that Mr Matthews is a partner in Clifford Chance, a City firm with 248 partners and innumerable assistants. In an election that is bound to be close, the importance of the loyalty vote cannot be underestimated.

Though Mr Mears has not fought such a slick campaign, he has put in some carry groundwork during the past year. He has ostentatiously refused to attend international lawyers' meetings in exotic foreign locations and opted instead for addressing local law societies in unglamorous regional places. Doncaster may be wetter and colder than Acapulco but it has more voters and they are likely to be responsive to the Mears message that he needs more time to reform the society.

Robert Sayer, Mr Mears's running-mate and present vice-president, has intelligently concentrated on matters of detail such as how much the new society computer system is costing and whether it can issue practising certificates on time. These are issues of more practical importance to most solicitors than the society's stance on double-taxation agreements with Chile.

The trouble is that the society has little real power and the president even less. The election has echoes of student union politics with yah-boo behaviour by the protagonists against the background of an indifferent pro-

fession. One former president told me: "The only power that the president has is the power to make a fool of himself."

There is no doubt about Mr Mears's capacity to cause controversy. Some of this is inevitable as no reformist can take on entrenched opponents and expect an easy ride. Some of it is self-generated. When he addressed the Woman Lawyer conference, it was in the wake of his having been instrumental in appointing Jane Betts as the first ever woman secretary-general of the society. But by deliberately being provocative about political correctness and "whinge factories", he outraged the feminist lobby. The orthodox course would have been for him to talk at length about commitment to equal opportunities while continuing to appoint men to all the key positions as before. An official of the Lord Chancellor's Department could have shown him how to do it.

For all his claim to be a safe candidate to unify the profession, Mr Girling has shown one great error of judgment in issuing an election manifesto using the society coat of arms and showing him as president. Solicitors are prohibited from using the coat of arms for publicity purposes. But Mr Girling argues that he is entitled to do so because he is a council member. Whatever the arguments, it was seen by many as tacky and triumphant. One solicitor argued that Mr Girling's was a slightly different coat of arms, anyway, which raised the spectre of his having a personal coat of arms.

The turnout is likely to be low. Last year only 37 per cent of solicitors voted and there is little interest in the election among the profession at large. One early spoilt ballot paper said that voting for any of the candidates was like turkeys voting for Christmas.

The society has done everything possible to maximise the turnout. Last year the ballot papers were distributed with the *Law Society Gazette*, leading to complaints from some solicitors that they had not found them because they had not appeared in every copy of the *Gazette* or they had lost their copy.

Ballot papers have been sent out separately this year. Though they have to be signed, there is a tear-off slip for signatures, so there is some degree of secrecy. Unlike the Russian elections, there is no separate box to indicate that the voter thinks none of the candidates is fit to hold office.

The outcome is difficult to predict, but provided Mr Bogan gets no more than 2,000 votes, Mr Mears and his team might just scrape home.

● The author is a practising solicitor.



PATRICK STEVENS

Another problem lies in the relationship to the police

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No time for ulcers

THE English Patents Court has notched up a couple of firsts in a recent patents dispute over what may become the world's biggest-selling drug — Losec — an anti-ulcer drug.

The court succeeded in bringing the action to trial within eight months of proceedings being issued — not up to standards envisaged by Lord Woolf in his plans to cut delays, but still good by High Court standards and much praised by the foreign lawyers observing the trial. A worldwide settlement was reached five days into the action.

The proceedings were brought by Astra, the Swedish drug company that makes Losec, against Knoll Ltd, a licensee of the German drug company Byk Gulden. Knoll and Byk Gulden were represented by John Hornby, a

partner with Clifford Chance, who acted as junior to Anthony Watson, QC, in the trial — probably the first solicitor-advocate to have taken part in a UK patents trial. He said: "This case should do much to redress the perception that it is quicker and cheaper to



Reina Maria May: art at work

litigate complex patent matters abroad."

Great works

THE launch of the latest art exhibition at the law firm Collyer-Bristow's gallery on a warm evening last week was packed. Broad smiles could be seen on the faces of the 11 artists who made up the exhibition as 11 paintings sold quickly. Buyers included a partner, assistant solicitor and librarian from the firm.

Reina Maria May, the partner who chairs the gallery committee and was herself pipped by a client to her chosen work, says: "The gallery creates a challenging working environment in which everyone can participate. We have encouraged staff to develop an active interest in art."

INNS AND OUTS

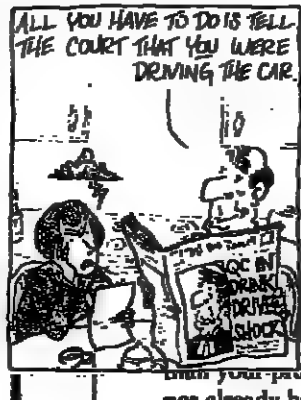
● IN private, at least, the Bar and the Law Society are the best of friends. Last week David Penry-Davey, QC, hosted a dinner party attended by senior members of the Bar, plus wives, at Pont de la Tour in south London, for John Hayes, who has just departed from his post as secretary-general of the society.

In reserve

THE Liberal Democrat Lawyers' Association has promised its membership that it will be a little less liberal with its reserve in future, after it spent a hefty slice of its £195,361 savings providing hospitality during the spring Liberal Democrat conference.

The loss is highlighted by its treasurer, Anthony Dix, in his statement on the association's annual accounts. He comments: "The executive has accepted responsibility and adopted measures to control expenditure in the future."

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CHAMBERS

Avoid being Critical

There are two critical questions that interviewers are often asked. One is why they want to join the organisation which is interviewing them. The other is why they want to leave their present organisation.

This first is difficult because interviewers do not know why they want to join any one organisation in particular. This is especially true when they are attending interviews with dozens of different organisations, all of which ask them this question. Fortunately, the interviewers will usually understand the candidate's dilemma, and allow for a touch of inaccuracy.

The other question is more dangerous, for the opposite reason. Candidates know full well why they want to leave their present organisation, and they are usually very willing to explain. They may not feel it is right to volunteer this information, but if the interviewer asks, and seems genuinely interested, why not tell them? Why not unburden yourself of the bile you have had to endure, of the petty politics in the office, of the impossibly erratic behaviour of your boss?

But lawyers. This question is a trap. If you answer it truthfully, your chances are likely to be seriously prejudiced. Few things make employers more wary than candidates who are critical. There is a natural solidarity among employees, and your criticism of one is taken by the others as a potential criticism of them. They assume that you must be difficult, that you cannot get on with your colleagues or your superiors. The very fact that you criticise your employer shows disloyalty. You may have been invited to do just this, but you are invited, politely, to refrain.

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Have holiday insurance, will sue

Edward Fennell
on the increase
in criminal
cases in the
travel industry

The recent revolts by air passengers who have refused to travel on planes they regard as unsafe have highlighted how important the issue of health and safety has become for the tourism industry.

Developments in criminal law over recent years mean that UK tour operators may find themselves criminally liable for what might go wrong while holidaymakers are in their care. From unsafe hotels to threats to health, tour operators could be held accountable and the penalties are serious. If an accident results in death then charges of corporate manslaughter or involuntary manslaughter could follow. The consequence could even be a jail sentence.

Peter Stewart is a partner of Field Fisher Waterhouse, one of the recognised leaders in travel law. "The consequences for tour operators and their employees could be serious," he says. "It is inevitable that there will be serious accidents involving British tourists as the industry continues to grow. We have recently spent a lot of time advising clients on precautions they must take."

The problem is not necessarily that the tour companies have been

negligent but that they have been targeted as having to accept responsibility for the failings of others.

Cynthia Barbor, a travel specialist with Nicholson Graham Jones, says: "There is a limit to which tour operators should be held responsible. Some things are beyond their control, especially risk of illness and disease. The problem is that people want increasingly adventurous and exotic holidays but also want them to be totally safe." Apart from criminal liability, however, the European directive on package holidays, implemented in the UK recently, means that holiday-makers are now also in a stronger position to demand compensation if their holidays disappoint.

Few leading law firms are active in the travel and tour business. Alongside the firms already men-

tioned there stand Rowe & Maw, some regional firms and a few top ten firms, such as Herbert Smith and Norton Rose, whose interests are linked to the aviation business.

Sue Walker, of the aviation litigation team at Norton Rose, says the travel field involves specialist work and is difficult for new firms to break into.

The trend seems to be that the travel specialists are extending their reach into mainstream work. For example, the growing levels of compensation paid to dissatisfied customers has forced the insurance companies to look much more carefully at the travel industry. And rather than using their usual insurance lawyers they are turning instead to the travel specialists because they understand the issues.

The other area of significant growth is in aviation, where firms such as Rowe & Maw now have dedicated teams who advise airports on landing-slot allocation schedules. Michael Nott, who now heads Rowe & Maw's aviation group, says: "The world's leading airports are highly congested. The number of slots you have is a key determinant of profitability. It is not surprising that slot allocation has become an important issue."



Stacking hour over New York: law firms are cashing in on rows about landing-slot allocations

Regional French firm opens in London

London has added its first French regional law firm to a growing collection of foreign firms. The two-hour train trip from Lille to Waterloo has made it easier for Triplett & Associates to open an office in the capital.

Based in France's fourth largest city, the firm has a partner who is English by origin, Philip Jenkinson. He has become one of the first Euro-commuters, with 96 return trips under his belt. "Eurostar," he says, "has made it possible for me to run the London office and see more of my family. I can drop my son off at school in Lille and be at my desk by 9.30."

Mr Jenkinson has lived in France for ten years and is a qualified French *avocat*. He is convinced that there is a slot for regional French lawyers in Britain — clients with French-related business pay less and do not have to deal with a chain of lawyers. In a recent case, he says, he watched with some amusement as a British regional firm contacted a London firm, which contacted its Paris office, which contacted a regional French firm. "Even sending a letter was costing a lot of money."

Getting the office recognised in Britain will be more difficult, although Mr Jenkinson quickly found one way of gaining entry to the club. He registered the office on the DX, the document-exchange system. "The first question British lawyers ask you is whether you are on the DX," he says.

Having realised its value, he persuaded the DX to give him a registration number in the low hundreds rather than the high thousands. He explains: "We thought that it would help to reassure people that we were established lawyers."

As a French *avocat*, Mr Jenkinson also has a secret weapon — his French court robes, complete with ermine trim. But while he has brought the robes to Britain, he has not yet had the nerve to deploy them in court. "I took them to a hearing at Staines Magistrates' Court," he says. "But, Mr Jenkinson says, he lost the nerve to wear them."

JOSEPHINE CARR

● The author is editor of European Counsel Direct.

More peace for the wicked

The success rate of legally aided civil actions is 92 per cent. Why is Lord Mackay's White Paper intent on changing things, asks Michael Zander

Lord Mackay of Clashfern, the Lord Chancellor, will have been pleased with the press reception last week for his legal aid White Paper. Broadly, it was given a warm welcome. He probably also thought he could ignore the fact that the legal profession is seriously concerned — for itself and its clients.

But it will be more difficult for Lord Mackay to dismiss the sharply critical reaction of the National Consumer Council (NCC) and of the National Association of Citizens Advice Bureaux (Nacab).

David Hatch, the NCC chairman, says that the council had supported many of Lord Mackay's legal aid reform proposals. "However," he adds, "we had no idea that a Green Paper, *Targeting Need*, would evolve into a White Paper targeting the needy."

Nacab's reaction should give pause to the Lord Chancellor and to the leader writers who greeted the White Paper as a recipe for elimination of too much wasteful and foolish litigation at the taxpayer's expense. CABs — which advise millions of people a year — stand to benefit greatly from their proposed inclusion as providers of legal aid. This makes Nacab's critical reaction to the White Paper the more noteworthy and weighty.

Ann Abraham, Nacab's chief executive, says: "The White Paper represents a sad retreat from the founding principle of legal aid, that no one should be denied access to

justice through being unable to pay. The price of controlling legal aid will be paid by the many thousands of people of modest means who find that justice is a luxury they cannot afford."

"We have regular reports of disabled clients living on benefits who are forced to drop strong cases because they cannot afford the substantial contributions that they would have to pay. These are not people taking weak or trivial cases at the taxpayer's expense; they are people who need legal help to defend themselves against domestic violence or the threat of losing their homes. They are people injured or made ill through their work or the negligence of employers."

She says the proposals conflict with the fundamental CAB principles of providing a free service and being open to all, "which may prevent the CAB service being able to take up the role envisaged for it in the new legal aid scheme". If the CABs decide not to participate, Lord Mackay's reforms will be in a spot of difficulty; making the

bureaux part of the system of providers is central.

At present, legally aided persons who lose a case are protected by not having to pay to the successful opponent more than they have to pay by way of contribution towards their own costs. But under the new scheme, however poor they are, they will face the possibility of having to pay the full costs of the case to the winning opponent. The debt to the fund will become a second mortgage on their home, a powerful discouragement to ordinary people against taking proceedings.

We know from research recently released by the Legal Aid Board that even the relatively modest level of present-day contributions influences many not to accept an offer of legal aid. If a legally aided person is to be at risk of having, over a period of time, to pay all his or her opponent's costs, this will occur more often. Presumably, that is what Lord Mackay intends. Even if they win, legally aided litigants will have to pay back any costs of their own

case not recovered from the opponent. Again, the proceeds of sale of their home will be applied to pay off this legal aid debt. A further serious disincentive to using the law to get one's rights.

The overall success rate of legally aided civil actions is 92 per cent — a rate so high as to expose as fallacious the argument that the system needs radical tightening. Lord Mackay proposes that the assessment of the "deservingness" of cases be transferred from the Legal Aid Board to solicitors' firms. How this is supposed to result in more appropriate selection of cases is a mystery.

Heritho, a citizen with a good case who qualified on the means test has had a right to legal aid and there was no problem in finding a lawyer to take the case. In Lord Mackay's brave new world, to get legal aid the citizen will have to persuade a practitioner that the case deserves support out of his fixed budget. The lawyer will be able to pick and

choose his cases. Naturally, he will tend to choose the most straightforward cases.

The White Paper says that in criminal cases the lawyer's pay will be fixed by reference to the number of duty sessions he undertakes, not to the number or length of cases. It may be that therefore "solicitors would have no incentive to draw out cases unnecessarily". But by the same token, the inevitable result will be skimpier preparation of cases and more pressure on clients to plead guilty. It would seem that the Lord Chancellor has turned a blind eye to such disagreeable concerns in order to be able to tell the Treasury that he has found a way to put a cap on legal aid expenditure.

The White Paper talks glibly of monitoring of standards by the Legal Aid Board. But much of this is just public relations talk. How much real monitoring of the work of thousands of providers of legal services can the Board hope to undertake?

By repeatedly criticising, on cheap and specious grounds, the legal aid scheme, Lord Mackay has done more to undermine its public reputation than any of the egregious recent cases that have fuelled public concern. This was unworthy of him and of his office. But by the time that the public comes to realise that it has been sold a package that seriously reduces access to justice for millions of ordinary citizens, Lord Mackay will be enjoying retirement.

● The author is Professor of Law at the London School of Economics.

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The London office of our multinational partnership has grown steadily since opening in the early 1970s and now acts as the focus for the firm's rapidly developing transactional practice in Europe. WCP typically attracts blue-chip clients from technologically advanced industries, such as telecommunications, aviation and the financial services sector. In Europe, we have a particularly strong German client base. The hallmark of our corporate and commercial practice is handling complex multi-national and cross-border transactions (including M&A, joint ventures and other commercial deals) that are affected by significant legal and technical regulation and are often politically sensitive. Many of these transactions attain a major profile.

The lawyers in our international practice group are qualified in a number of different jurisdictions, principally in England, Germany and the United States. This allows us to bridge the legal, cultural and linguistic differences between the various countries in which we operate on behalf of our clients. Advanced electronic links enable the lawyers in our London office to draw upon the resources of their 240 colleagues throughout the firm.

About you

As a result of an increasing work load, WCP now seeks to appoint a creative and versatile assistant solicitor with strong academic credentials and up to 2 years transactional experience, preferably gained at an international City firm. Your role will be broad-ranging, but will also allow you to develop specialist expertise in the areas of telecommunications and aviation. On many projects you will have the opportunity to work closely with the firm's other offices.

The culture at WCP is relaxed and supportive, and the environment promotes our twin aims of close team-work and individual initiative. You will gain immediate exposure to clients, and this - together with the quality and nature of our work - will guarantee a steep learning curve. Fluency in German will be a distinct advantage.

The position offers a rewarding career with excellent prospects and a first-rate remuneration package. Interested candidates should contact our retained consultant Nicky Russell. They should either telephone her on (0171) 269 2241 or write to her at Michael Page Legal, Page House, 39-41 Parker Street, London WC2B 5LH or by facsimile (0171) 831 6662.

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IT IS TIME YOU MET OUR CLIENT

With a well established in-house department at the hub of the business process, our Client, a highly commercial UK organisation, finds its IP team under increasing demand for advice on diverse and complex issues and so seeks another talented lawyer.

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General Counsel - Arabic Speaker

Jeddah
A major diversified, international group needs a lawyer, at least 3 years qualified, to assist the group with its commercial activities. Candidates must speak fluent Arabic and, ideally, have worked in the Middle East. Ref: 2244NT

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The Netherlands
This multinational company now seeks a junior lawyer, qualified in any jurisdiction, to handle a broad international company/commercial role based at the worldwide headquarters. Ref: 1045NT

Belgium/Dutch Lawyers

Brussels
This major international company requires a 4 to 5 year qualified Belgium or Dutch lawyer, ideally with a US qualification, to assist the European General Counsel. Ref: 1304NT

Upstream Lawyer

Surrey
Our client, a well known oil and gas multinational needs a high calibre lawyer with at least 1 years upstream experience to join an established team. Ref: 8565SM

Commercial - UK Responsibility

London
This dynamic, and entrepreneurial company now needs a high calibre commercial lawyer, 2 to 6 years qualified, to assume responsibility for all UK commercial matters. Ref: 597NT

Corporate Role

London
This multinational conglomerate requires a lawyer with between 3 and 5 years experience to assist on corporate M&A and other general company matters. Ref: 1078SM

International Commercial Role

London
This successful organisation is seeking a high calibre lawyer, 1 to 4 years qualified, with solid company/commercial experience, ideally gained in-house. Ref: 1543SM

Commercial/Construction

London
This international consultancy requires a lawyer with between 1 and 3 years commercial experience and a good knowledge of the construction industry. Ref: 2833RW

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London
This leading US telecoms company would like a lawyer, 1 to 3 years qualified, with general commercial experience to join a small team operating at senior level. Ref: 133NT

Commercial Lawyer

Surrey
This well known oil and gas company requires a lawyer with 2 to 5 years general co/com experience. Ref: 1081NT

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Midlands
This household name company has an opportunity for a lawyer with c.2 years general commercial experience. Ref: 1297RW

Senior Lawyer

Surrey
This large US organisation requires a general commercial lawyer, 5 to 10 years qualified, to join a small team. Telecoms or IT experience would be advantageous. Ref: 1821RW

Contact Naveen Tull or Rachael North

PRIVATE PRACTICE

Shipping Litigation

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This top City firm with a small, but high profile, marine unit, wants a young, 1-2 year qualified specialist, to undertake an interesting and absorbing caseload. Ref: 3380L

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City
A newly qualified lawyer is needed by this prestigious City firm to undertake a purely non-contentious role including transactional, documentation and advisory work. Ref: 5750L

Construction Lawyer

City
This medium-sized City firm needs a 2-4 year qualified lawyer to undertake a mix of litigious and non litigious matters. Ref: 6080L

Property Litigation

City
A 6 month - 2 year qualified landlord and tenant specialist is required by this well known City practice. Ref: 11190L

Private Client - NO

City
A small well known firm has an opportunity for a newly qualified solicitor to handle probate, trusts, tax and wills. Ref: 2082IF

IP/IT - Partner Level

Surrey
Our client, a specialist IP firm with an exciting growth rate, plans expansion into IT and related fields and seeks a prospective partner with an entrepreneurial approach. Ref: 8AF

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Reading
One of the leading commercial firms in the Thames Valley has an excellent opportunity for a company/commercial lawyer with 1-3 years experience to handle a mixed caseload of high quality work acting, amongst others, for multinational and listed companies. Ref: 1578AF

Contact Daniel Lewis, Jane Foster or Andre Field



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Pre-eminent City law firm, with an outstanding reputation in E.C. competition law, seeks talented specialist qualified c.2-4 years; highest quality work and exceptional career opportunity. Ref: 29743

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With a blue-chip reputation for its practice and client-base, and also its management, this City law firm is expanding its IT team, offering exceptional opportunities at all levels. Ref: 23496

Construction

Well-regarded City firm seeks a senior construction assistant with both contentious and non-contentious experience; ideally 4-years qualified with a sound construction background. Ref: 29940

Corporate

Corporate lawyers who are not already in the ideal job should move now: openings with this leading practice are part of a City-wide demand which shows no sign of abating in the near future. Ref: 25181

PFI/Project Finance

Dynamic, medium-sized City firm has two vacancies, in the range 1-5 years ppe, for those with a background or interest in PFI and infrastructure work: finance or corporate experience could suit. Ref: 30928

Commercial Litigation

At a time when most litigation vacancies are for narrow specialists in insurance, this is an opportunity for a high-calibre litigator to undertake varied commercial work of an exceptional quality. Ref: 27902

To discuss these opportunities in total confidence please contact Philip Boyston LLM (Harvard). Alternatively, send your CV to him at the address below.

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The work offers full client contact and a high quality caseload, covering all aspects of commercial property and especially landlord and tenant law. There will also be exposure to development work.

Successful applicants will require excellent legal and communication skills with the capacity to understand and be aware of the clients' commercial requirements.

We offer a competitive remuneration package (which will include profit related pay, pension and private medical insurance) and a well organised training programme.

Applicants should apply in writing to Richard Lanchbury, Timuss Sainer Dechert, 2 Serjeants' Inn, London EC4Y 1LT.

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Informal enquiries are welcomed by Ruth Scottmard, Head of the Department of Law, on (01202) 595212.

Further details and application forms are available from the Personnel Department, Studland House, 12 Christchurch Road, Bournemouth, Dorset BH1 3NA.

Tel: (01202) 810960 (24 hour answerphone).

Please quote reference 4898.

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MAYER BROWN & PLATT

Leading American-based international law firm seeks an English or Commonwealth qualified lawyer to work on Croatian transactions in their London office. The candidate will be required to be fluent in written and spoken Croatian as the ability to function effectively in a Croatian business environment is a necessity. The candidate must also have two to four years banking and capital markets experience obtained in a law firm, bank or other financial institution in London. Competitive Salary and benefits package. Please send C.V. together with covering letter to:

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CORPORATE/COMMERCIAL, BRISTOL

About us

- An important part of our national strategy is to gain a substantial market share in Bristol and the South West. As evidence of this we have in the last 2 years recruited into our Bristol office several high quality lawyers including 3 partners;
- A central element of this strategy is the ongoing development of a substantial corporate and commercial practice. This process has already resulted in the office being recognised for its work in several key practice areas.
- As the UK's only truly national law firm we offer our clients a unique type and quality of service and are committed nationwide to providing legal advice of the highest calibre, reflected by the quality of the lawyers we seek to recruit.

Our requirements

- A corporate lawyer with about 5 years' post qualification experience in a City or major provincial firm, with the dynamism, practice development skills and technical expertise to warrant promotion to partnership within 12 months and spearhead our corporate practice in Bristol.
- An assistant with up to 3 years' post qualification experience to add strength and depth to our commercial team with a good academic background and an interest in developing a specialisation complementary to our existing commercial practice.

In both cases we are looking for individuals who are energetic, proactive and personable, with an appetite for success, the ability to integrate into a supportive, close knit team and the ambition to build a long term career with us.

For further information in complete confidence please contact Rachel Williams, our Personnel Manager, on 0117 929 9555 or write to her at Eversheds, 11/12 Queen Square, Bristol BS1 4NT.



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Applicants should write to Nicola Ross, enclosing a detailed CV, at the address below. All enquiries will be treated in the strictest confidence.

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Tel: 0171 851 9881
Chambers Clerk Alan Luff

CAMBRIDGESHIRE
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CORPORATE TAX
Excellent opportunity for a Corporate Tax lawyer with 0-5 years' P.Q.E. to join a heavy-weight City firm with a strong UK and international client base. You will handle the full range of corporate tax work including tax planning implications for domestic and international M&A's, joint ventures, partnerships, MBO's and financing transactions. Ref: 1932.
Contact: Pandora Close at the London office.

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A youngish Corporate/Commercial solicitor (age 30-40) is sought by a small profitable commercial firm which is proud of its relaxed, team-orientated culture and plans never to grow so much that this culture is lost. The successful candidate will be a proven business person and will be able to bring a modest following (£100k) which will support the work already done by the firm and that to be generated by cross-selling to existing clients. Ref: 1902.
Contact: Paul Rannackes at the London office.

INSURANCE/REINSURANCE
If you are an experienced insurance/reinsurance litigation solicitor working at a major City firm at a niche insurance practice this proposition might interest you. A medium-sized firm seeks to further strengthen its established specialist team by hiring a frustrated senior assistant with good skills and contacts and some 'following'. The firm will give you maximum support and resources to allow you to fulfil your potential and earn a short-term partnership. Ref: 1959.
Contact: Peter Gordon at the London office.

EMPLOYMENT
Superb employment opportunity. If you have between 1 and 3 years' P.Q.E. and feel that it is time for a move in order to increase your career prospects, this successful medium-sized City firm is looking to recruit you into the employment team. You will have strong academic credentials, enjoy challenges and be happy to take responsibility. The work will consist of both contentious and non-contentious matters with an emphasis on the latter.
Contact: Jane Glassberg at the London office.

COMMERCIAL PROPERTY
Highly successful medium sized firm with a pre-eminent reputation for its property law expertise seeks a commercial property lawyer with 1-4 years' P.Q.E. with personality and flair. You will handle the full spectrum of the highest quality work for a wide range of clients including property companies, banks, developers, retailers and homeowners and will enjoy a remuneration with early partnership prospects. Ref: 1535.
Contact: Pandora Close at the London office.

BANKING IN-HOUSE
A senior lawyer (5+ years' P.Q.E.) is sought by a prestigious European bank for a challenging, stimulating and varied role. For this position a commercial and responsive approach is as important as experience which should include 2 or more of the following: capital markets, syndicated loans, trade finance, debt issues, project finance and equities. Ref: 1964.
Contact: Paul Rannackes at the London office.

INTELLECTUAL PROPERTY
A highly regarded medium-sized practice, our client is a genuine full service law firm which does, however, have a particular name for certain specialist areas. One of these is media/entertainment/soft IP in which continuing success requires the recruitment of a 2-3 year qualified IP litigation solicitor. The client base is superb and you would be hard pushed to find higher quality colleagues and mentors at any other firm. Ref: 1860.
Contact: Peter Gordon at the London office.

CORPORATE/COMMERCIAL/BANKING - RUSSIAN SPEAKING
London City office of large multi-national partnership is looking for Russian speaking business lawyers in a range of disciplines including corporate, commercial and banking. The successful candidates will have between 2 and 5 years' P.Q.E. and have gained experience with a reputable City firm. Dynamic, ambitious, highly intelligent and 'commercial' candidates are sought. Ideally, you should be UK or US qualified but Commonwealth lawyers will be considered.
Contact: Jane Glassberg at the London office.

NON-CONTENTIOUS CONSTRUCTION

Major public body require a solicitor/barrister to join their extremely busy in-house team as soon as possible. Candidates must have at least 3 years' ppe and experience in non-contentious construction, particularly in the drafting and negotiating of contracts. Ref: 28645

COMMERCIAL PROPERTY

Small well-established City practice need solicitor to cover for partner going on maternity leave. The contract would be to start in a couple of weeks for about 3 months and would require a solicitor with at least 4-5 years' ppe to take over a mixture of high quality work; predominantly commercial but with a small amount of residential property. Ref: 28644

OIL/COMMERCIAL

International oil company seeks a solicitor/barrister, with a minimum of 3 years' experience in the industry for a 2-3 month contract. Position will be based in central London and will chiefly involve the drafting and negotiation of contracts. Immediate start. Ref: 28520

COMMERCIAL PROPERTY

Two junior commercial property solicitors sought by this City firm to assist with a due diligence exercise. Contract is to start as soon as possible and will be for a month. Candidates may be required to work long hours. Ref: 28598

BANKING

3-5 year qualified solicitor/barrister with general banking and/or corporate finance experience required to join in-house legal team of merchant bank. Would be involved in a broad range of work including, global markets, corporate finance, banking, emerging markets, and asset management. Start as soon as possible for 4 months. Ref: 28553

JUNIOR COMMERCIAL

A leading US technology company are looking for a 1-5 year qualified commercial lawyer to join their European office. Experience of drafting and negotiating commercial contracts, ability to speak French and German, as well as a commercial background would be required for this 1 year contract. Ref: 28610

CORPORATE

Top City firm urgently need a team of solicitors to assist with heavy workload. Candidates must have excellent academics with minimum 1 years ppe and maximum 6 years ppe from similar background, for this 6 month plus contract. Work will be mainstream corporate, both domestic and international. Immediate start. Ref: 28508

COMMERCIAL

5-8 year qualified solicitor/barrister with heavyweight in-house commercial experience, including IP/IT contracts, required to assist newly established arm of Insurance Company. Contract would be for about 3 months and candidates must be able to work on a completely unsupervised basis. Ref: 28634

DEFENDANT PERSONAL INJURY

National firm are seeking a highly experienced solicitor for their Midlands based office. Candidates must have a strong background in defendant insurance work. The position is to start as soon as possible until August. Ref: 28264

NON FEE-EARNING ROLE

Corporate lawyer sought by this City firm. Candidates will be involved in marketing, training, precedent drafting. Contract will be for a 3 month period which may be extended. Ref: 20198



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For further information please call Nicky Rutherford-Jones or Emma Hopkins on 0171-405 6062 (0171-405 6062 or 0181-540 2381 evenings/weekends) or write to us at Special Project Lawyer, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 0171 831 6394.

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CYCLING

Cracks in Berzin's armour exposed by boldness of Riis

FROM ANDREW LONGMORE IN SESTRIERE

HEAVY overnight snow forced the cancellation of the two greatest climbs on the ninth stage of the Tour de France yesterday and heightened the air of unreality created by the demise of Miguel Indurain over the weekend. This Tour is rife with the unbelievable to the bizarre. It also has the makings of an epic, not least because of the variety of potential champions.

The Tour has had to cope with strikes and reroutings in the past, but no one could recall a stage being arbitrarily cut just minutes before its start. Veterans such as Raymond Poulidor and Bernard Hinault shook their grizzled heads in disbelief at the softness of the modern rider, but the organisers were wise not to push their luck any further after Alex Zülle and Johan Bruyneel had survived hair-

raising crashes in similar conditions on that unforgettable stage to Les Arcs on Saturday.

Most of the riders in the peloton could not believe their good fortune. Having signed on in Val d'Isère, they were driven in warm cars over two of the most feared climbs on the route and deposited across the Italian border into lush green valleys and something approaching sunshine.

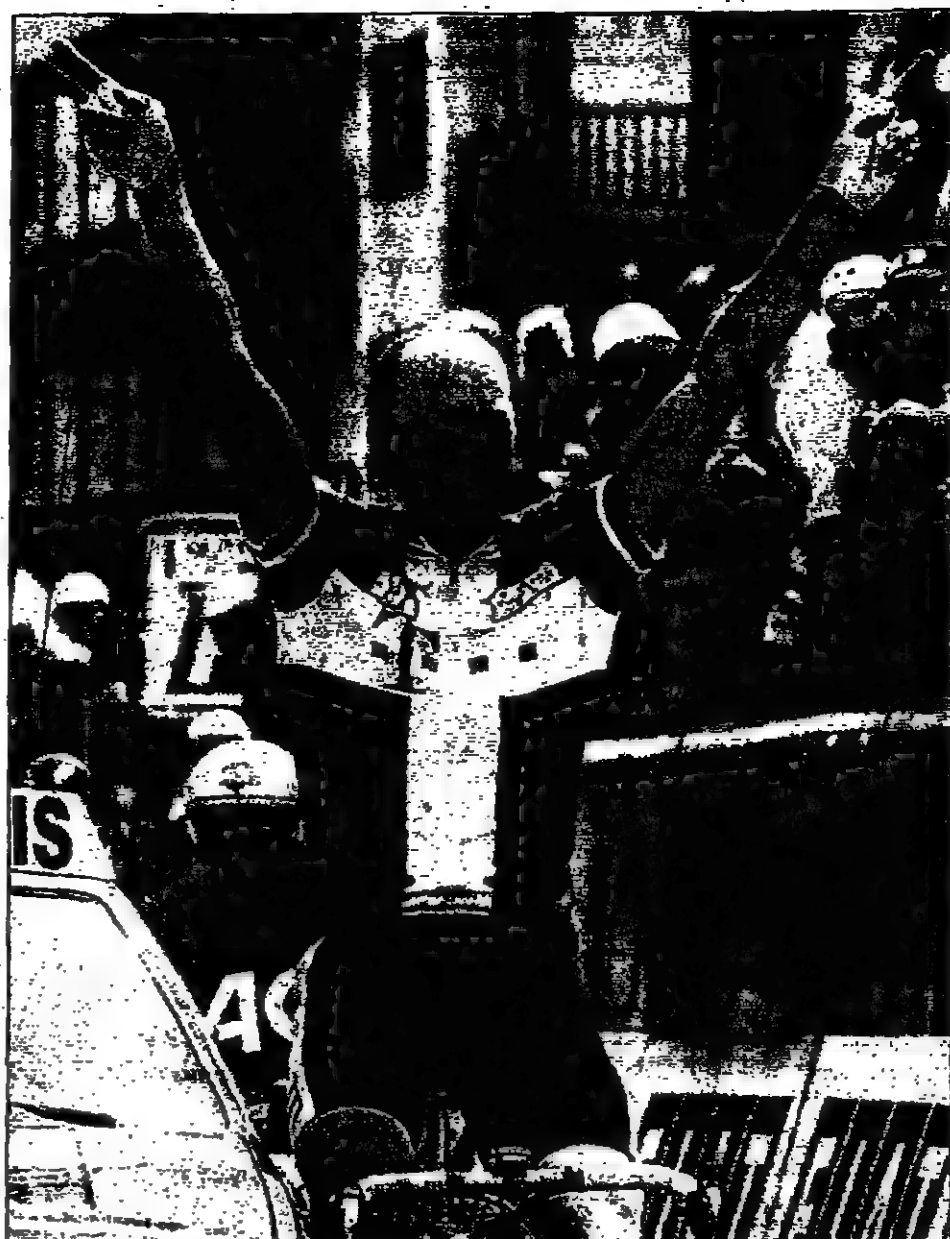
However, any suggestion that the shortened stage, a 35-mile charge up to Sestriere, could simply confirm the talent of Evgeni Berzin was misplaced. A spirit of adventure is afoot, epitomised by the balding figure of Bjarne Riis, from Denmark, who became the fifth wearer of the yellow jersey in the first nine days of the Tour, after Zülle, Moncassin, Heulot and Berzin.

Forty-three seconds behind Berzin at the start, only the pugnacious Danie would have considered the possibility of cutting the deficit. However, his early attack forced the Russian into leading a lone counter-attack up the final ascent and exposed the weakness of Berzin's Gewiss team. When Luc Leblanc also broke away near the summit, Berzin was dropped, finishing one minute and 23 seconds behind Riis and slipping to fourth place overall.

At the age of 32, Riis is an old-stager. Like Tony Rominger, he is desperate to crown his career with one last fulfilling victory. Unlike the Swiss rider, he is new to these heights; this is his first year as a team leader, but no less a judge than Indurain considered Riis a more dangerous rival than the calculating and polished Rominger.

The full impact of the complicity could easily be felt over the next 12 days. Riis is a more than adequate climber, a good time-trialist and utterly fearless. He would have revelled in the chance to attack in the sleet and snow yesterday and did not disappoint his surprisingly large band of Danish supporters when the racing did begin.

Not even the banners proclaiming "Forza Berzin" on the Italian side of the Alps could



Riis is ecstatic after winning the ninth stage of the Tour in Sestriere yesterday

lift Berzin in his adopted home. The Italians find something reassuringly familiar in Berzin's rebellious nature, but the ease with which Riis blew him away yesterday does not augur well for his prospects as

the field emerges from the mountains on to the tenth stage from Turin to Gap today. Tomorrow, thankfully for everyone, is a day of rest.

Riis confirmed his disappointment at missing out on

the climbs. "I was looking forward to that stage because I was feeling good and I felt frustrated because I thought this could be my day," he said. "I tried to attack just the same and it worked."

Brewster completes milestone voyage

SAMANTHA BREWSTER'S solo round-the-world sailing voyage finally came to an end yesterday after her 67ft cutter, *Heath Insured*, edged its way up the western Solent in the centre of a flotilla of BT Global Challenge yachts (Edward Gorman writes). As she passed Hamble Point, a gun fired by Chay Blyth marked the end of a passage that makes her the first woman to circumnavigate the globe in a westerly direction, albeit with one stop in Brazil for repairs. She has been away for a total of 253 days and covered 28,000 miles.

Despite the trials and tribulations she and her boat looked in good condition although, like all long-distance solo sailors, Brewster had mixed feelings about returning. "There is part of me that wants to go back out again because my little world is coming to an end," she said. "I'll do more solo sailing but never this long and not this hard."

Keighley to cash in

RUGBY LEAGUE: Keighley Cougars are under the new ownership of Carl Metcalfe, a millionaire businessman, who will today announce an immediate £350,000 investment, with more money promised, as the first division club attempts to win a place in the Super League. Jeff Graydon has resigned as coach of the first division club, Batley Bulldogs. John Monie and Graham Lowe, two former Wigan coaches, have been linked with the coaching position at Bradford Bulls being vacated by Brian Smith.

Walker ready to ride

MOTOR CYCLING: Chris Walker, from Nottingham, has been called up by the French Elf 500 ROC team to ride in the British Grand Prix, the ninth round of the world 500cc championship, at Donington Park next Sunday. Walker, who has been riding for Ducati in the British Superbike Championship, takes over the machine for the 30-lap, 75-mile race at the Leicestershire circuit from Adrian Bosshard, the Swiss rider, who is officially "being rested".

Alfredsson goes top

GOLF: Helen Alfredsson has overtaken Laura Davies, of Great Britain, at the top of the Ford Order of Merit after her victory in the Hennessy Cup in Cologne on Sunday. The Swedish player's winnings total £71,250 from two tournaments this year. Davies is second with £63,750. Marie-Laure de Lorenzi, from France, remains at the top of the standings for automatic selection to the Europe side to meet the United States in the Solheim Cup at St Pierre in September.

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INTERNATIONAL LAWYER

OUR CLIENTS are a major international consumer group whose products are sold in over 180 markets world-wide.

As a result of a reorganisation they now wish to recruit an experienced lawyer as head of a department within the Intellectual Property section based at their offices in Surrey.

Your role would be to manage and co-ordinate in-house and external resources, investigation agencies and outside counsel, and to develop and drive investigative and legal action and strategies to achieve the group's objectives.

You should be a lawyer with at least 10 years' experience, including litigation with an emphasis on the international enforcement of intellectual

property rights. In addition to being technically sound, you must have management capability, be able to act on your own initiative, to take responsibility and make decisions under pressure, and have a good business sense and commercial judgement. You must have good personal and communication skills in dealing with all levels of management and with government agencies and be discreet, be flexible as to working hours to fit in with international activities, and be prepared for international travel at short notice.

This is a key position within the Group and has a highly competitive benefits package, including a performance bonus, car, and profit related pay.

For further details please contact Sonya Rayner or send her your CV.

CHAMBERS

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COMPANY SECRETARY

Community Hospitals Group plc is a major quoted healthcare services company with a turnover of £75m. Based in Bedford, it seeks to appoint a Company Secretary to ensure compliance with all provisions of the Companies Act, Stock Exchange rules and best practice and to provide a full plc company secretarial service to the company and its subsidiary Boards.

Reporting to the Executive Chairman, your principal accountabilities will include maintaining statutory registers and records, servicing Board and shareholder meetings, administering insurances and pension schemes, property

arrangements and the management of legal and contractual matters. An area of particular responsibility will be the administration of share option and SAYE share schemes, the Employee Profit sharing scheme, and Corporate PEPs, and to work with the Board on development in this area.

The successful candidate is likely to be a qualified Chartered Secretary with substantial experience of handling plc company secretarial work. Previous Stock Exchange experience is essential. A generous salary package is offered for this excellent career opportunity.

For further details please contact Fiona Boxall or Jane Wallace or send them your CV.

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PRIVATE PRACTICE / IN-HOUSE

TAX SPECIALIST

Commercially aware senior solicitor or senior partner sought to head the corporate tax function in this medium sized but highly international City firm. Broad ranging tax skills with recent experience of corporate law would be an advantage. This is a rare opportunity to develop a practice area offering early integration into this successful well managed partnership. (Ref:7883)

INSOLVENCY PARTNER

A major international City firm, our client is well aware of the critical nature of insolvency work. It is seeking to consolidate its expertise and, as a result, seeks a leading City insolvency partner to head its insolvency and the development of the practice, including advising on corporate rescue as well as corporate collapse and winding up. Ideal candidate will be an established partner with excellent connections. (Ref:6696)

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The above represents a small selection of the vacancies presently registered with us. To find out more, please contact Andrew Golding, Miranda Smyth or Jonathan Brunner (all qualified lawyers) on 0171-377 0518 (0171-704 7736 evenings/weekends) or write to us at: Zarak Macrae Brunner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidentiality 0171-474 5174. E-mail andy@zmb.co.uk

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Pre-emptive multi-media practice seeks high grade senior specialist in the telecom sector to work alongside recognised expert. Experience in the cable and satellite sectors would be particularly helpful as the firm seeks to stay one step ahead of a client base that is well on the cutting edge of media convergence. Position will not be filled until a suitable candidate is found. Excellent career prospects. (Ref:7549)

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are looking for Solicitor with 0-2 years p.p.a. varied workload including property and litigation. The successful applicant will be personable, practical and enjoy the work of a small practice. Energy and commitment are essential. Great prospects. Write with full CV to: M. Edmondson, Edmondson Hall, 100 High Street, Newcastle, S-16, CB8 9AJ.

COMMERCIAL PROPERTY

Partnership law firm seeks a senior solicitor with 10-15 years' experience in commercial property. The successful candidate will be a qualified solicitor with a strong background in commercial property, including leasehold, freehold, and development. Salary: £25,000-£30,000. Contact: 01747 680577 Fax: 01747 680577

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TOM HOBAN
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Partnership law firm seeks a senior solicitor with 10-15 years' experience in company/commercial law. The successful candidate will be a qualified solicitor with a strong background in company/commercial law, including corporate finance, mergers and acquisitions, and insolvency. Salary: £25,000-£30,000. Contact: 01747 680577 Fax: 01747 680577

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Partnership law firm seeks a legal graduate with 1-2 years' experience in company/commercial law. The successful candidate will be a qualified legal graduate with a strong background in company/commercial law, including corporate finance, mergers and acquisitions, and insolvency. Salary: £15,000-£18,000. Contact: 01747 680577 Fax: 01747 680577

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MOTOR RACING: CHANGES MADE TO CARS AND CIRCUITS AFTER SENNA'S DEATH UNDER REVIEW

Risk business that has to retain its fatal attraction

The reaction started almost as soon as Ayrton Senna's Williams-Renault hit the Tamburello bend at Imola two years ago. The counter-reaction has taken a little longer but it is starting, almost imperceptibly, to gather pace now. At its head is Bernie Ecclestone, busily kicking over the traces.

The truth about that cursed San Marino Grand Prix weekend, you see, is that while the world saw it as an outrage that put Formula One motor racing in an unclean cliché with boxing and cock-fighting, most of the protagonists viewed it as an unfortunate hazard of a dangerous sport.

They acquiesced in the changes that were foisted on them by the International Motor Racing Federation (FIA) but privately they dismissed them as part of a knee-jerk response. Now, some of the changes that were made may be about to be revised.

Since Senna's death, changes to the designs of the cars have slowed them down in fast corners and circuits have been redesigned with fiddling chicanes — such as the one that has emasculated Tamburello — which have taken away much of the thrill of a hurtling rhythm for the drivers. There are huge run-off areas, too, at the bends deemed most dangerous, gravel traps that have turned the races into distant spectacles for spectators. The changes have been approved by the Grand Prix Drivers Association (GPDA), which was resurrected by Michael Schumacher and Gerhard Berger after Senna's death.

"We were affected by pressure from the press, I suppose," Ecclestone said. "It seems to me it is alright for anyone to be killed in any other form of motor sport except this one. There is not nearly so much of an outcry. Perhaps that is why the drivers want to be in Formula One; because they get more money and it's a lot safer."

It was a difficult time for Ecclestone, personally, too. In their grief, Senna's family seemed to blame him for the

Playing safe is not a policy that will guarantee Formula One's future. In the second of three articles, Oliver Holt hears why danger must remain a vital part of the sport's appeal

accident and accused him of insensitivity and pragmatism in the aftermath of his death. They made it clear that he was unwelcome at the Brazilian's funeral. "They did not bother to check and find out what the circumstances were," Ecclestone said.

However, for Ecclestone, president of the Formula One Constructors' Association and entrepreneur extraordinaire, there is a different problem. Senna's death tapped a whole new audience, an audience that had only been vaguely aware of Formula One before. The feud between Schumacher

Nobody was forcing them to go.

Ecclestone revealed yesterday that he has also submitted plans to the FIA that may end the need for the wide-open spaces of the run-off areas. Experts are considering the use of a device that will allow grandstands to be moved back to the edge of the track without prejudicing drivers' safety.

"We have gone a little bit wrong with the run-off areas in their current state," Ecclestone said. "I don't believe they are necessary. There are much better ways of slowing a car down when it is off the circuit than the way we have chosen."

"Imagine something with the surface of a cheese grater positioned about a metre in from the edge of the track. If a guy goes off, he has got a metre to run on but if he is in real trouble, he will go over the grater, it will rip the tyres to pieces and the car will be slowed down and bury itself in the gravel. The run-off areas now put the public too far back."

Ecclestone likens the effect of Senna's death to the impact that Michael Jordan's temporary departure had on the National Basketball Association in the United States: the sport is bigger than any of its players, even its biggest player, so it survives, even prosper. And in Senna's place others have stepped in.

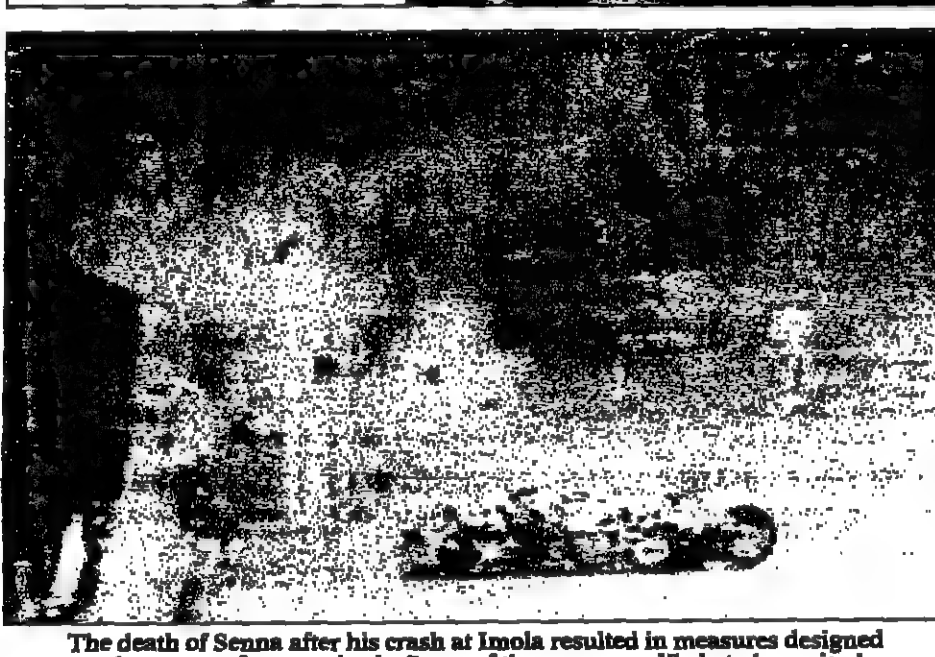
"Schumacher is bloody good," Ecclestone said, "up there with all the greats. And I have been surprised at the way Damon has developed, too. He has grown into the role of world champion. Both of them are becoming personalities and turning into characters. Even Mansell, Piquet, Prost and Senna did not become heroes overnight."



and Damon Hill retained the interest last year but now the safety changes are biting and the spectacle has lost some of its allure.

The GPDA may be the first casualty. "There is no necessity for it," Ecclestone said. "The drivers can be very silly. In general they would do anything they can to go quicker, even if their car is not the safest car in the world. They will always try to strive for 'what is best for their car, so how can we ever get a valuable opinion from them? Some are more clever than the others and they can manoeuvre things to their advantage and the rest will follow without realising that what these guys are saying is insincere. Listen to what they said about how dangerous Tamburello was after Senna died. They had all been testing there regularly and nobody said anything."

TOMORROW
Power and influence in the future



The death of Senna after his crash at Imola resulted in measures designed to improve safety standards. Some of these are now likely to be revised

Rangers wary of Russian trip

AS SOON as the draw for the preliminary round of the European Cup was made, Rangers knew they were in for a tough time, although the players of Alan Pardoe's Russian champions, would appear to be the least of their problems. Vladikavkaz lies only 60 miles from the border with the troubled republic of Chechnya and a Foreign Office spokesman said yesterday: "We strongly advise against travel to this region."

Chechen rebels, fighting for independence from Russia, are not the only threat. Worryingly, there is also a warning of an outbreak of diphtheria in the area. Rangers, given that they have no choice but to fulfil the fixture, are advising their supporters not to travel for the game, which takes place on August 21, a fortnight after the first leg at Ibrat. Liverpool needed a military air escort when they faced Vladikavkaz — then called Spartak — in the UEFA Cup last season and Rangers are anticipating similar security when they make the trip.

Campbell Ogilvie, the Rangers club secretary, was determined to look on the bright side yesterday. "We don't foresee any problems when we arrive there," he said. "After all, the club hosts a tournament every year and

clubs willingly go to that part of Russia. As to the diphtheria, we will all have to be inoculated. That will be standard procedure."

Two leading Brazilian players are to join European clubs. Adilson, the central defender, will join the former European champions, Middlesbrough, in the next few days, the French club announced yesterday. The Gremio defender may be followed to the Stade Velodrome by the German goalkeeper, Andreas Köpcke, who helped his country to win the European championship in England last month. He had left Eintracht Frankfurt and turned down a move to VfB Stuttgart when Barcelona indicated that they were interested in him.

Palmeiras, from São Paulo, are preparing to sell their midfield player, Rivaldo, to Deportivo La Coruña, of Spain, for a fee thought to be around £6 million. Rivaldo would replace Bebeto, the striker, who returned to Brazil this year after several seasons with Deportivo. A versatile playmaker and scorer, Rivaldo was outstanding in an exceptional Palmeiras team that won the São Paulo state championship this year. The Brazil coach, Mario Zagallo, called Rivaldo the best player still playing his trade in the country.

SHEEHAN on BRIDGE

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

Today's hand illustrates a common and important point, that of knocking out the defence's entries in the right order. The declarer was Jan Pethick, bond broker and winner of the Barnardos charity tournament in January.

Dealer South	Love all	Rubber bridge
♠K4 ♥J72 ♦K662 ♣K873	♠888 ♥Q853 ♦A978 ♣98	
♠QJ1076 ♥A98 ♦Q103 ♣Q10	♠A32 ♥K104 ♦A4 ♣A642	

Contract: 3NT by South. Lead: queen of spades

South opened One Club. West overcalled One Spade. North bid Three Clubs and South declared play, assuming West has five spades.

In practice Pethick ducked the first spade, took the second, played the king of clubs and finessed the second club. Thus West was able to win and clear his spades. As he still had the ace of hearts, declarer had to go down. I was asked my views as to the right line.

The first point is that playing for the drop in clubs is marginally superior to finessing. But that is not the main reason why it is best to start by playing the ace and king of clubs: it is because the subsequent play depends on who is guarding the third round of the suit. On the actual hand playing the ace and king produces nine tricks trivially, but see what happens if clubs

□ Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

KEENE on CHESS

By RAYMOND KEENE, CHESS CORRESPONDENT

Times Championship
Manchester Grammar School won the final of the British Schools Chess Championship sponsored by *The Times*, by the score of 3½ to 2½, against Maidstone Grammar School. Individual results were as follows:

SCORES (Maidstone 0½ names tied): Jeremy Knowles drew with David Thompson; Duncan Henshaw drew with Edward Goodall; Matthew Nowles lost to Andrew Lewis; David Jones lost to Joseph O'Connor; John Jones lost to John Thompson; Trevor Jarrett drew with Chris Lee.

I awarded the best game prize to this win by Manchester.

White: David Timms
Black: Joseph O'Connor

Times Schools Final, July 1996

French Defence	
1 e4	e6
2 d4	d5
3 e5	c5
4 c3	Nc6
5 Nf3	O-O
6 a3	O-O
7 Nbd2	h6
8 e6	Nd6
9 d3	cxd3
10 Nxd3	Bd6
11 Bc3	O-O
12 d4	e5
13 dxe5	Bxe5
14 Nbd4	Nf6
15 Be2	Bd3
16 Nd3	Qc7
17 h3	Qc3
18 Bg5	Nd3+
19 cxd3	Qxd3
20 f4	O-O
21 Bg4	Nf4
22 Ng4	O-O
23 f5	h5
24 g4	h4
25 g5	g6
26 Kh1	Ra6
27 Qf3	Rd5
28 Kg2	Rg6+



In the play-off for third place Oakham School defeated St Columba's College, Derry, by 4½ points to 1½.

SCORES (Oakham names first): Nicholas Part lost to Adrian Gilbert; Richard Part drew with Stephen Gilbert; David Garner lost to Damian McDowell; Mark Jackson lost to Ryan McNally; Richard Wilson lost to Roy Downey; Oliver Dal lost to Paul Turner.

There is still time to enter the coming year's 40th Jubilee Times Championship for schools. If your school wishes to enter contact the Chief Conductor without delay: Mitchell Taylor, 4 Alders Road, Hale Lane, Edgware, Middlesex HA8 9QG (tel: 0181-959 6915).

□ Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

WORD-WATCHING

By Philip Howard

QUORUM
a. The minimum number
b. Raw molasses spirit
c. The question "whither"

DABBAT
a. The last monster
b. An Imam's council
c. Bat-and-ball game

LAMOURETTE
a. A sugared almond
b. The skylark
c. Insincere friendship

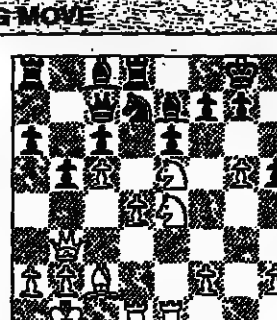
CRAWLER
a. A convict creep
b. The Gila monster
c. A ceremonial introduction

Answers on page 46

By Raymond Keene

White to play. This position is from the game Burgess — Bank Friis, Denmark 1991. Graham Burgess is perhaps best known as being a chess editor. However, he also has a keen tactical eye over the board. How did White score a fine win?

Solution, page 46



FOR THE RECORD

ATHLETICS

PADUA, Italy: International meeting. Winners: Men: 400m D. Kersch (USA) 45.50sec; 800m M. Mitchell (GB) 1:46.17min; 1500m Long (GB) 3:52.00min; 5000m P. Davis (GB) 14:15.50min; 10000m A. Sui (Netherlands) 29:55.00min; 20000m S. Smith (GB) 55.00min.

BASEBALL

AMERICAN LEAGUE: Cleveland 6 Chicago 1; Detroit 9 Toronto 0; Milwaukee 4 New York 1; Kansas City 9 Oakland 4; Boston 7 Baltimore 6; NATIONAL LEAGUE: Atlanta 9 Houston 1; Montreal 4 New York 3; Florida 7 Philadelphia 4 (10 runs); Pittsburgh 8 St Louis 2; Chicago 7 Long Beach 6 (13 runs); Colorado 3 Los Angeles 0; San Diego 10 San Francisco 3.

CRICKET

MINOR COUNTRIES CHAMPIONSHIP (first day of first round): Northumberland 217 (11 wickets) 400; G. R. Morris 100; G. P. Shaw 4; Lancashire 150; G. R. Morris 100; G. P. Shaw 4; 253-2 (W. L. L. 118 not out, G. P. Shaw 70). Reading School: Berkshire 232-8 (8 wickets) 400; G. R. Morris 100; G. P. Shaw 4; Lancashire 150; G. R. Morris 100; G. P. Shaw 4; 253-2 (W. L. L. 118 not out, G. P. Shaw 70).

FOOTBALL

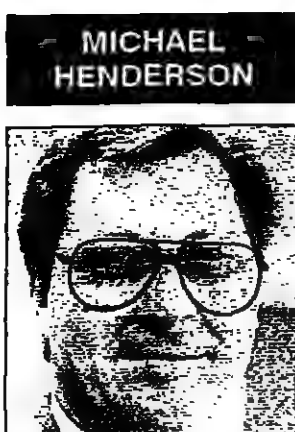
INTERCITY CUP: Group one: Standard 2 (Bel. Hala) 1; Group two: Unione (Cy) 4; Torre (Portugal) 1; (Swiss) 2; Group four: Zalgiris (Lith) 3; Corvay (United States) 0; Group seven: Albion (Netherlands) 0; Antwerp (Bel) 0; Group nine: Valencia (Spain) 3; Deportivo (Spain) 2; Group 12: Real Madrid (Spain) 3; Group 15: Real Madrid (Spain) 3; Group 18: Real Madrid (Spain) 3; Group 21: Real Madrid (Spain) 3; Group 24: Real Madrid (Spain) 3; Group 27: Real Madrid (Spain) 3; Group 30: Real Madrid (Spain) 3; Group 33: Real Madrid (Spain) 3; Group 36: Real Madrid (Spain) 3; Group 39: Real Madrid (Spain) 3; Group 42: Real Madrid (Spain) 3; Group 45: Real Madrid (Spain) 3; Group 48: Real Madrid (Spain) 3; Group 51: Real Madrid (Spain) 3; Group 54: Real Madrid (Spain) 3; Group 57: Real Madrid (Spain) 3; Group 60: Real Madrid (Spain) 3; Group 63: Real Madrid (Spain) 3; Group 66: Real Madrid (Spain) 3; Group 69: Real Madrid (Spain) 3; Group 72: Real Madrid (Spain) 3; Group 75: Real Madrid (Spain) 3; Group 78: Real Madrid (Spain) 3; Group 81: Real Madrid (Spain) 3; 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CRICKET: FLAT-TRACK BULLY FAILS TO REDISCOVER FORM ON FEATHER-BED PITCH AT TRENT BRIDGE

Hick's bad dream takes turn for worse

Some say that Hick's a fine batter. And some say, a pain in the neck. To others, he's just a jazz-hatter. Who will end up a gibbering wreck? Friends I know in high places say he's scared of anything quick. These things tend to go through phases. Oh tell me the truth about Hick.

(With apologies to W.H. Auden)



Test match commentary

IT'S that man again, and aren't we all surprised? The case history of Graeme Hick, cricketer, is the most puzzling of our times and will never be resolved to everybody's satisfaction. He is 30 now, not a young chap any more, and nobody truly knows him. More important, he appears not to know himself.

This was the day of days for Hick to rediscover his form. He came in with the scoreboard showing 360 for two. The pitch was flat. The bowlers had endured a lot, and expected to endure a lot more. Two of the previous batsmen had made hundreds. He had all day to bat, no questions asked. So what did he do? He squirmed through two unpleasant hours for a score he could have got with five good hits.

When England's purpose was surely to plunder runs at a decent pace he dawdled, robbed of his strokes. After getting off the mark with a handsome boundary he went scoreless for almost an hour.

Eventually, aiming a stroke to leg, he popped up a steeping catch to mid-on and wandered off, still not sure of what he had been doing out there. As a result he may pay for his failure, his fourth in as many innings, with his place in the side.

It is unlikely, because Michael Atherton wants him bedded down at No 5 and because it makes no sense to tamper with the batting order unless it is absolutely necessary. It would be nice to report that Hick "deserves" to bat there but one is reluctant to claim as much. He has contributed only 35 runs to this series and that is simply not good enough, not for a key batsman who had apparently established himself in Test cricket.

Since making a well-regarded hundred in the first Test against South Africa last Nov-

ember, Hick has passed fifty once in nine completed innings. Against India he has played like a man in a dream, and his messy slip fielding has reinforced the impression of a player who is not mentally attuned to events taking place around him. He had better shake himself out of this torpor because the Pakistanis England meet later this month are sharp cricketers and there will be no place for dreamers.

Hick was rested by Worcestershire from a championship match last week, as a favour to England, and this is how he repaid them. Atherton, who was also rested, made 160 — though he was lucky to make even the first of them. But the captain has reserves of spirit that Hick has never shared. After all this time, he is not going to change.

He has been dropped four times, so he knows what the feeling is like. The last time he was stood down, at Old Trafford last year, he had a jolly good blub in the dressing-room, an act of weakness that impressed Raymond Illingworth, who saw what playing Test cricket meant to him. When Hick returned, on a flat pitch at Nottingham, he made a hundred. It was interpreted at the time as a positive first step towards fulfilment. Well, was it?

Will he go on for ever, like Old Father Time, or will the ending be swift? Will Captain Calamity back him (a Test place remains in his gift). Is he an innocent lad or knowing? Are we scribbles just taking the mick? Has he ever really known where he's going? Oh tell me the truth about Hick.



Hick contemplates another low score after his dismissal at Trent Bridge yesterday

Surrey confirmed as championship force

By Rupert Cox

THE OVAL (final day of four): Surrey (24pts) beat Middlesex (5) by seven wickets

IT MAY prove a watershed victory in the fortunes of Surrey. It is nine years and 14 matches since they last managed to beat their London neighbours and, of course, almost 25 years since they captured the last of their county championships in 1971.

This was a commendable performance by Surrey. Nineteen wickets were lost to the weather, three key players were absent on England duty and they achieved the victory despite making ridiculous contributions to the Middlesex cause by way of extras. It was a profligate Surrey can ill-afford in matches to come.

Regardless of the statistics, the win thrusts Surrey right into the thick of the championship race and, in their favour, they have already negotiated fixtures against many of the teams at the top of the table.

The real test, though, will come away from home, where deficiencies in the spin department are likely to be underlined.

With the Middlesex batting so brittle this season, the onus was on Gattling and Ramprakash to play a long innings. However, with Julian swinging the ball dangerously at a brisk pace, Ramprakash and Carr had been accounted for within ten overs, the latter to a fine inswinging yorker. Julian proved an awkward customer as he mixed good and ill-directed deliveries at random.

The back of the innings was broken and only Gattling, with a second half-century, delayed the inevitable. He was bowled off the inside edge for the second time in the match. Middlesex will rue the loss of Dion Nash, as it was the swing bowler who profited here, but how Surrey would relish the services of Phil Tufnell.

Victory stiffens Kent's title resolve

By Ivo Tennant

MAIDSTONE (final day of four): Kent (24pts) beat Durham (6) by 63 runs

IT WAS at Mote Park that Kent determined to win the county championship in 1970, their most famous triumph of all. Their resolve to do so again is no less great now, not least because they finished bottom last season. This victory, which took rather longer to achieve than Durham's form suggested that it would, took them to the top of the table.

Durham needed 328 to win yesterday and their innings lasted until the final hour of play was about to begin. On a pitch that had a certain amount of variable bounce, they struggled to counter the pace of Headley and, in particular, McCague, who bowled just about as fast and as accurately as he is able. From 139 for two, Durham lost their last eight wickets for only 116 runs.

For so long as Campbell remained, Durham had a

chance of gaining not merely a draw but their first championship victory of the season. It was painful on his right thumb by Headley in the morning, he was nevertheless the one batsman to master an attack that lacked Patel and Ealham and hence was not the strongest Kent have fielded this season.

The bowler who took his wicket was Long, whose off breaks are used, shall we say, sparingly. He tossed one up outside off stump that would

have enticed any West Indian stroke-maker. Campbell drove at it but only sliced to point. He waited for confirmation that Preston had held the catch cleanly, as he was entitled to do, and mooched off without acknowledging the applause. His 85 included 16 fours.

Other than another stoical innings from Bainbridge, the remainder of Durham's batting was as disappointing as it has been all season. Hutson mistimed a drive off Hooper to

mid-on. Morris played across the line at Stanford. Blenkinsop was taken at short leg off Headley, unable to cope with the bounce.

McCague's first spell was quick enough. When he returned later in the day he had seemingly convinced himself he could bowl Durham out through sheer pace. So it proved.

The ball with which he had Bainbridge taken at the wicket was quick by anybody's standards. Roseberry did not pick up another one, which if anything was slightly slower, and Brown simply did not see the ball which sent his leg stump several yards towards the wicket-keeper.

Headley limped off with ankle trouble, but should be fit to play in the NatWest Trophy tomorrow. His replacement, Ben Phillips, held an excellent catch at point to account for Cox. This was a further wicket for Long who, once Patel returns from Test duty, will not be asked to bowl at all. For the moment, he is only a little lower than the angels.

TABLE							
	P	W	L	D	N	pts	
Kent (16)	9	5	0	4	24	145	
Yorkshire (8)	9	5	2	2	26	140	
Leeds (7)	8	4	1	3	29	129	
Surrey (12)	9	3	1	5	30	124	
Warwickshire (11)	9	4	3	2	21	120	
Derbyshire (14)	8	3	2	3	26	110	
Nottinghamshire (10)	8	3	2	3	23	108	
Middlesex (15)	9	3	4	2	17	102	
Essex (8)	8	2	4	2	26	90	
Somerset (9)	8	2	3	3	21	86	
Hampshire (13)	8	2	3	3	21	86	
Gloucestershire (16)	8	2	4	2	20	80	
Lancashire (14)	8	1	5	2	24	79	
Northants (10)	8	1	5	2	24	79	
Worcestershire (10)	8	1	5	2	24	79	
Northants (10)	8	1	5	2	24	79	
Gloucestershire (10)	8	1	5	2	24	79	
Durham (18)	10	1	8	1	4	16	84

(Last year's positions in brackets)

(Last year's positions in brackets)

Warwickshire in debt to Giles

WARWICKSHIRE achieved their first home Britannic Assurance county championship victory of the season as they beat Nottinghamshire by 85 runs yesterday.

Their spinner, Ashley Giles, took five wickets for 70 from 26 overs — his best of the season — after Nottinghamshire had been set a target of 297 in 81 overs at Edgbaston. Warwickshire triumphed with 14.1 overs to spare.

Headley limped off with ankle trouble, but should be fit to play in the NatWest Trophy tomorrow. His replacement, Ben Phillips, held an excellent catch at point to account for Cox. This was a further wicket for Long who, once Patel returns from Test duty, will not be asked to bowl at all. For the moment, he is only a little lower than the angels.

Ten-wicket Millns celebrates Essex's surrender

By Pat Gibson

LEICESTER (final day of four): Leicestershire (34pts) beat Essex (3) by an innings and 44 runs

IT WAS a bit early in the day to be sipping champagne but David Millns had earned his taste of the good life. He had just taken Essex's last six wickets in little more than an hour to add ten in the match to his maiden first-class century and put Leicestershire within striking distance of the championship leaders, Kent, with a game in hand.

Much as he enjoyed his batting, which has never been short of ambition, it was his bowling that had given him the greatest pleasure. "As a strike bowler," he said, "it is my job to take wickets. And if you get ten in a match you know that you have done your job well. To me, it's like a batsman getting a double-century."

His only regret was that he had not numbered Graham Gooch, now an England selector, of course, among his victims. "I still have not got him out in about ten years," Millns said, "but we had a chat afterwards and he said some encouraging things. I was disappointed that I did not get picked for England back in 1992 when I thought that I might be given a go but I've never given up hope. At 31, I'm not too old either."

He certainly did not look it yesterday. He had been given the Sunday match off on condition that he returned on Monday morning and knocked Essex over. He lost little time in keeping his side of the bargain after they had resumed on 193 for four, still 98 runs away from avoiding an innings defeat.

A lot depended on Pritchard, the Essex captain, but he had added only nine to his overnight 19 when he tried to pull the last ball of Millns's third over and was leg-before to one that kept low.

Iranzi, who had looked completely disorientated since England packed him off down the M1 on Thursday morning, bagged a pair when he aimed a lazy drive at the second ball of Millns's next over and it was three wickets in six balls when Rollins, driving again, was caught behind.

Only Such, the nightwatchman, was showing the kind of fight expected of an Essex side. He had been there for almost an hour when he was caught by Pierson at gully. Williams fell to an even better catch by Habib at long-off, and when Millns clipped Cowan's off stump he had taken six for 20 in 7.4 overs and ten for 128 in the match.

Fordham feasts on some gentle offerings

By Jack Bailey

NORTHAMPTON (final day of three): Northamptonshire drew with the Pakistanis

A SPOT of prize-money will work wonders, not least for the Pakistanis. After Northamptonshire, in the guise of Alan Fordham and Richard Montgomerie, had gone into the lead without losing a wicket on a pitch that was a tribute to Ray Bailey, the head groundsman, who yesterday announced his retirement, a deal was struck.

Roughly translated, this meant a feast of runs provided to Northamptonshire by the Pakistanis, a declaration and a bold bid by the visitors to reach a target of 226 runs from 33 overs.

Tedley's £3,500 stays in the bank. The youthful Kabir followed his 99 in the first innings with a gem of a knock of 52 from 60 balls and was made man of the match; Ijaz made 39 off 30 balls; Moin Khan took only 23 balls to reach the same score; but, when Mujtaba was left stranded, also in the thirties, Pakistan were still 21 short of victory with two wickets left. They had gone hell for leather for their target right to the end, but scoring at more than seven an over proved just too much.

Before lunch — taken with Northamptonshire at 188 for no wicket and 88 runs ahead — and for a short time afterwards, Fordham and Montgomerie pursued their cause against regular bowlers. By then Fordham had reached a fine, rehabilitating century. It was only the second time he has past 50 this summer. A broken thumb at Cardiff and overexertion to return to the fray cost him his place, but it will be difficult to leave him out of the next championship match.

Confronted by joke bowling during the latter part of his innings and after a spell of hitting boundaries almost at will, Fordham gave up the ghost. He retired. If he was hurt, he made an excellent job of hiding the fact. Only after it was realised that his average would suffer under law 29 if he was "retired out", instead of "retired hurt", was a problem with his eye discovered, but the umpires went along with it and once more, it seemed, the spirit of the laws had suffered.

For those who like their cricket played hard, so the game itself was trivialised as ten bowlers were employed to provide runs. Montgomerie, having moved to a valid century, went well beyond, helping himself to three sixes and 23 fours in his 168 and, unlike Fordham, not looking a gift-horse in the mouth.

Derbyshire left with little option

By Simon Wilde

CHESTERFIELD (final day of three): Derbyshire drew with South Africa A

SOUTH AFRICA A all but killed this match by delaying their declaration until 20 minutes after lunch, by which time Derbyshire required 342 to win in a minimum of 55 overs. Needless to say, they never entertained the idea and had reached 175 for three when the game finished at everyone's earliest convenience.

The task set Derbyshire would have taxed them had they had the advantage of playing under Benson and Hedges Cup rules. But South Africa is a nation renowned neither for sporting declarations nor a liking of defeat.

Derbyshire showed what they thought of matters by giving the ball to May and Rollins, with Griffith taking the gloves. "If this is how they are going to play, I am not sure what they hope to get out of the tour," Les Stillingman, Derbyshire coach, said.

With O'Connell batting patiently through the Derbyshire innings for 68, it was left to Rollins to entertain a sparse crowd with a half-century that contained ten fours. Many of these came at the expense of Schultz, who was at least stung enough to respond with a few spicy rejoinders and finally had his man caught behind. Schultz conceded 81 runs in 12 overs.

In the morning Liebenberg completed the first century of his side's tour and Gibbs and Commings made brisk half-centuries. Commings, the captain, showed why he is regarded as one of the most technically accomplished batsmen in his country.

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Telford's Challenge Series	
Northamptonshire v Pakistanis NORTHAMPTON (final day of three): Northamptonshire drew with the Pakistanis. (Match details follow)	
Derbyshire v South Africa A CHESTERFIELD (final day of three): Derbyshire drew with South Africa A. (Match details follow)	
Warwickshire v Nottinghamshire EDGBASTON (final day of four): Warwickshire beat Nottinghamshire by 85 runs. (Match details follow)	
Leicestershire v Essex LEICESTER (final day of four): Leicestershire beat Essex by an innings and 44 runs. (Match details follow)	
Kent v Durham MAIDSTONE (final day of four): Kent beat Durham by 63 runs. (Match details follow)	
Surrey v Middlesex THE OVAL (final day of four): Surrey beat Middlesex by seven wickets. (Match details follow)	

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Conversion, confession and competition

There is a time and a place for other people's spiritual beliefs. It is not on my doorstep at 9 o'clock on a Saturday morning, it is not on a crowded Tube train after a hard day in the office (incidentally, why do I always get the one who looks bristly as a breath freshener?) and it is not, definitely not, on my television during a nice, quiet evening in.

So my heart did not exactly swell with eager anticipation at the prospect of *The Day That Changed My Life* (BBC2) last night. The title alone produced a deep-seated unease. As for the subtitle, *The Devil in the Mirror*, it was almost enough to send me scurrying to the listings page in search of something short and secular... almost. But a higher authority (aka my terms of employment) dictated that I gave it a chance. So I stayed, I watched and to my surprise, enjoyed it very much.

This transformation (don't wor-

ry, conversion is definitely too strong a word) was helped by the fact that the life that had been changed was quite a life. In the 1960s Chris Lambrianou may have been "a booted and suited Jack the lad" but he was also a gangster, a genuine slice 'em up and cash 'em ravin'. In 1969, along with the Kray twins, he was sentenced to life imprisonment for the murder of Jack "The Hat" McVie.

Sometimes it seems to me that everybody over 50 and living east of the Tower of London had a hand in the killing of Jack the Hat. But Lambrianou is one of about a dozen who have the press cuttings to prove it. In his case, however, he says justice was not done. "I was as guilty as hell of accessory after the fact, but I certainly hadn't murdered anybody." The judge demurred and recommended he serve a minimum of 15 years.

With that sort of "stretch" ahead, Lambrianou recalled being con-

sumed with guilt about the wasted years: "the violence, the anger, the greed, the dishonesty." What took him to the brink of madness, however, was that well-known brain-washing technique: prolonged exposure to the words and music of Bob Dylan. "Knock, knock, knocking on Heaven's door" went a fellow inmate's record player, over and over again.

After that, it all happened rather quickly. Face the cell, look in the mirror (eck, it's the Devil), on his knees, scrabbling around for something that might give him a bit of comfort, knock out a box of books and, oh look, here's a Bible, Hallelujah, Story over. Well, no. Twelve years after his release, Lambrianou, a divorced father of five, now works in a rehabilitation centre for young people with drug and alcohol problems. His commitment and enthusiasm are salutary, the contrast with his pre-



Matthew Bond

life is astonishing. As for his faith, it is intact but not unbending. As he put it: "If what I believe is a con, well, what a wonderful con - it's got me through my life." Here endeth the first lesson.

Actually, it was the evening's second lesson that endeth there, the first having finished half an hour earlier with *Don't Mention the War* (BBC2). This turned out to be a thoughtful and rather sham-

ing examination, by the London correspondent of *Die Zeit*, of the recent mass outbreak of anti-German feeling in this country. The ill-judged editorial line taken by the *Daily Mirror* and *Evening Standard* against Germany in the European championship may have provided the spur, but the problem, as Jürgen Kronig showed, is far deeper-seated than that.

Time and again, Kronig found British farmers/journalists/football supporters protesting that the latest outbreak of Hun-bashing was "just a bit of fun". And time and again, his second, gently probing, question would reveal a deep-rooted dislike for all things Teutonic. "My brother was a prisoner of war..." began a Cornish farmer, whose roadside protest about Germany's boycott of British beef read: "1914-1939-1996 They're at it again." Just a bit of fun, of course.

Others don't see anti-German feeling as a problem at all, as Andrew Roberts, the right-wing revisionist historian, shamelessly made clear. Roberts thought it was a pity that Britain didn't control as much of the world as it once had, adding that "the next best thing is ensuring that Germany doesn't either". He popped up a little later to point out "the genius of the German people for causing trouble for its neighbours". Nothing like adding fuel to the Führer, eh Andrew?

Now at this point it was probably appropriate to abandon BBC2, but with *Oh Dr Beeching!* setting back the course of television comedy by about 20 years on BBC1 and George Cole doing something only marginally less drastic in *An Independent Man* on ITV, I thought... heck, let's make a night of it. After all, it was time for *Clash of the Titans* (BBC2), which

in a few short weeks has become an unmissable part of Monday evenings.

Last night's was a gem, looking at the fierce rivalry between Seb Coe and Steve Ovett, which reached its peak a ridiculous number of years ago at the Moscow Olympics. The programme was very much a snapshot, making no attempt to explain the processes by which 16 years later Coe would be transformed into a rather charming Tory politician and Ovett into a second-rank sports commentator.

The races were still wonderful, the interviews - particularly with Coe's father and coach - newly illuminating, but the most memorable contribution came from his mother, recalling the problems her precociously talented son caused her at school sports day: "I used to think, oh please Seb, just lose something. But he never did. It was terribly embarrassing."

BBC

6.00am Business Breakfast (50459)
7.00am BBC Breakfast News (Ceelex) (74460)
9.00am Breakfast News Extra (Ceelex) (367926)
9.20am Ready, Steady, Cook! (r) (6979196)
9.50am Wildlife on One: Ewari (r) (Ceelex) (s) (7446712)

10.20am My Favourite Noah. Chef Anton Moscatelli cooks for the former Bolshoi Ballet star Boris Yeltsin (6485509)
10.50am News (Ceelex) (3258170)

10.55am Cricket - Third Test: England v India. Live from Trent Bridge (7419033)

12.00am News (Ceelex) and weather (2650199)
12.05pm Going for Gold, Quiz (s) (7580199)
12.30am For the Love of It (36418248)

12.35am Neighbours (Ceelex) (s) (9134335)
1.00am News (Ceelex) and weather (94847)

1.30am Regional News and weather (96107793)
1.35am Cricket - Third Test: England v India. Further coverage live from Trent Bridge (9482880)

5.35am Neighbours (Ceelex) (s) (404915)
6.00am News (Ceelex) (199)

6.30am Regional News magazines (151)
7.00am The Good Food Show. Inspirational recipe ideas spiced with investigative reports (Ceelex) (s) (9538)

7.30am EastEnders. While everyone is talking about Mark, he isn't saying a word. Ruth and Pauline confront Peggy but she doesn't give an inch (Ceelex) (s) (335)

8.00am Dances with Wolves. The Wolf of Mombi. Jonathan Scott travels to the Okavango Delta, a wild oasis in Botswana, renowned as the premier place to see predators in action - in this instance, African wild dogs. With the first glimpse of a new lion, Jonathan's guide, film-maker Richard Goss, suggests an all-night vigil (Ceelex) (s) (6595)

8.30am Goodnight Beethoven. Young is in line for promotion and Gary suspects that he is only holding her back. Life in 1941 seems more and more appealing and Gary feels it may be time for him to make a choice, even if that means taking his own suicide. But then Benjo-Welding George Formby rears his head in the past. With Nicholas Lyndhurst (r) (Ceelex) (s) (7783)

9.00am News (Ceelex) and weather (3480)
9.30am Law Women: The Lawyer (2/3) (Ceelex) (s) (900422)

10.20am FILM: Bonnie and Clyde (1967) with Warren Beatty and Faye Dunaway. Depression-era America is convincingly recreated in this graphically violent biopic of two of America's most wanted criminals. Directed by Arthur Penn (400880)

12.10am FILM: Deep Sleep with Megan Follows. Stuart Margolin and Patricia Collins. Melodrama about a 17-year-old girl who must confront the mystery of her father's shooting death. Traumatized by the ordeal, she runs away from the clinic where she has been recovering. Once home, she begins to piece together the few clues to the mysterious event, with horrific consequences. Directed by Patricia Grubbs (9837107)

1.30am Weather (5974842)

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For more comprehensive listings of satellite and cable channels, see the Vision supplement, published Saturday

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BBC2

6.00am Open University: The Planet Earth (6232199) 6.25am Animal Physiology: Walking and Running (621606) 6.50am Organic Chemistry (678915)

7.15am Star Wars: The Force Awakens (6443554) (6443554)

7.30am Smurfs: Adventures (6443002) 7.35am Blue Peter (r) (Ceelex) (s) (5266441)

8.20am Postman Pat (r) (6887083) 8.40am The Record (6147267) 9.05am The Fugitive (6443554) 10.00am Playdays (6832335) 10.25am The Wolf of Mombi (6443554) 11.15am The Addams Family (6443554) 11.40am Carver's Caribbeens (1726064)

12.00am Cricket - Third Test. Final day (58977) 1.00pm Postman Pat (r) (6887083) 1.15am A-Z of Food (7237155) 1.25am Wear It Well (7621422) 1.40am Working Lunch (9222170)

2.10am The Church Winery Show (974996) 2.50am Blooming Lovely (4030719) 3.00am News (Ceelex) (4642354) 3.05am Westminster (Ceelex) (s) (6539248) 3.55am News (Ceelex) (2180248)

4.00am Cartoon (7736288) 4.05am Dennis the Menace (2199996) 4.30am Ocean Odyssey (Ceelex) (248) 5.00am Newsround (Ceelex) (8006151) 5.10am Action 8 (Ceelex) (7472608)

5.35am Cricket - Third Test (6890335) 5.50am Gower's Cricket Monthly. David Gower looks back at the Test series with India and looks forward to the forthcoming series with Pakistan (1117170)

7.30am Black Britain: One in One Hundred Thousand. Rian Scipio introduces an investigation into why black people seem afraid to come forward as donors (Ceelex) (977)

8.00am Public Property. Award-winning architect Sir Richard MacCormac CBE sets to work to build something of a south London school (Ceelex) (6828)

8.30am Tracks. The guide to the countryside goes underground to discover waterfalls in Yorkshire twice the size of Niagara (Ceelex) (s) (5335)

9.00am News (Ceelex) and weather (3480)

9.30am Law Women: The Lawyer (2/3) (Ceelex) (s) (900422)

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CHOICE

6.00am GMTV (1600499)
9.25am The Real Ghostbusters (r) (Telex) (8772268)

TUESDAY JULY 9 1996

Hick's travails overshadow prospect of series victory against India

England fail to force the pace

BY ALAN LEE, CRICKET CORRESPONDENT

TRENT BRIDGE (fourth day of five): England, with three first-innings wickets in hand, are 29 runs ahead of India

THE grand plan was a non-starter by breakfast-time. No sooner had England arrived at Trent Bridge, emboldened by their captain's ambitious exhortations, than Nasser Hussain reported unfit. With him, inexplicably, went the momentum of their innings and any doubt over the result of this attritional final Test.

Michael Atherton may have been straining credulity on Saturday when he said England might still win the match but he will surely have been disappointed by the limpness of his team's response. India bowled perseveringly and the pitch was not quite as sedate as it had been but to spend a full day scoring 228 runs.

It might be felt that nothing was lost - nothing but the patience and attention of a predictably modest Nottingham crowd, England, after all, will now draw this game and win the first Cornhill series of the summer, one significant objective achieved. What has to be said, though, is that this

day and this game have asked more questions than they have answered about the depth and quality of the England side.

Another failure for Graeme Hick, this one a tortured affair lasting 139 minutes and seeming even longer, was one anxiety within a top order that is not as settled as England would choose. And although Mark Ealham marked his Test debut with a sound half-century, he is probably batting a place too high at No 6. The greatest shame is that

Michael Henderson 44
Kent back on top 44
Pakistanis chase in vain 44

Hussain was deprived of the chance to expand upon his second century of the series. He was understandably keen to bat on, but he faced only six gentle balls at an early-morning test session before accepting the folly of the idea.

There is now concern that Hussain's injury, a hairline fracture of the right index finger, may be worse than was first thought. "Finger injuries are very difficult to diagnose," Wayne Morton, the team

physiotherapist, said, "but I am hopeful he will be fit for the first Test against Pakistan." As that game is more than a fortnight distant, this was not entirely reassuring.

The second-wicket stand thus ended, unbroken, at 192 and Atherton had a new partner for the opening ball. It was for the captain to assume control now and he began promisingly, with a classical cover drive for four in the first over from Ganguly. Immediately, however, he was dropped at second slip by Rathore, who was soon to join Azharuddin in the treatment room after dislocating his shoulder.

Atherton enjoyed more than his share of luck in this innings but the mere length of it, the extended feel of his bat on ball, will have done him good. Four of his six home Test centuries have now been made at Trent Bridge and this became the highest of them when he exceeded the ISI he scored against New Zealand six years ago.

He will have begun to focus upon a double-century when he was out to a good one from Prasad that straightened and took an edge to third slip. Atherton had batted less than eight hours, a brisk sketch compared with his previous, monumental century in Johannesburg late last year, and Hick set out as if he meant to emulate him.

There was a flashing cover drive for four as soon as he arrived but, thereafter, not one run in 58 minutes while Srinath bowled yet another spell of unrelenting excellence. Hick's inertia was all very well if something was to come of it but after losing Thorpe, for a positive 45, directly after lunch, he still looked impetuous beyond him.

Ealham gave Hick a start of 66 minutes and overtook him within ten overs. Soon he had doubled the score of his accomplished partner and any one wandering into the ground knowing that one of these men was playing his 78th Test innings and the other his first would unhesitatingly have identified them wrongly.

Raju was now bowling his left-arm spin into the leg-stump region, and to some effect, but it was nevertheless a lazy shot by Hick, trying to whip him over mid-wicket, that gave him his first success



Ganguly despairs as Ealham gets away with an edge through the slip cordon at Trent Bridge yesterday

of the series. It was almost a humane end to the suffering, but when Russell fell without scoring, failing to withdraw his bat successfully from his fifth ball, it was clear that England's expectations must finally be revised.

India's loss of faith in Kumble, who came here as

their likeliest match-winner, was reflected in his appearance at 3.30pm for his first bowl since 4.25pm on Saturday. He took a wicket with his top-spinner, dismissing Lewis an over after he had been deemed innocent of a glove to the wicketkeeper off the suffering Srinath. The umpire, once

more, was K.T. Francis; he has had better games. Srinath did glean some consolation with the wicket of Ealham, who misread a slower ball. Cork and Patel then indulged themselves for the last hour while the rest of us wondered if Jagmohan Dalmiya, the Indian standing

for the chair of the International Cricket Council, had hit on something, after all, with his fanciful theories for eliminating drab draws. Even David Lloyd, indomitably positive as England coach, was forced to concede that Test match days come no drabber than this one.

Boldon states his case for gold in Atlanta

BY DAVID POWELL, ATHLETICS CORRESPONDENT

ATO BOLDON, or "Ato-mique" as the French sports paper, *L'Equipe*, called him, offered a reminder last night that Frankie Fredericks and Michael Johnson will not be without serious challengers in the Olympic sprints. Fredericks and Johnson have looked almost untouchable in the past three weeks but Boldon, 22, is confident that he can be crowned an Olympic champion in Atlanta.

In Lausanne last Wednesday Boldon, from Trinidad, won the 200 metres in 19.35sec. He finished third in the 100 metres, recording 9.94sec behind Fredericks's 9.86sec and Donovan Bailey's 9.93sec. Bailey won the gold at the world championships last year, when Boldon was third. In the Stockholm grand prix last night Boldon got the better of Bailey.

There was little to choose between the start of the two but Boldon's pick-up was superior. By 50 metres Bailey was near the back of the field but, finishing strongly, he pulled up to third. Boldon recorded 10.07sec, Jon Drummond, of the United States, was second in 10.09sec, followed by Bailey in 10.09.

In the 110 metres hurdles, Colin Jackson, the world record-holder from Wales, was beaten by Allen Johnson, the world champion from the United States. Johnson recorded a slow 13.25sec, but Jackson was unable to take advantage. Tony Jarrett, the world silver medal-winner from Britain, was disqualified for two false starts.

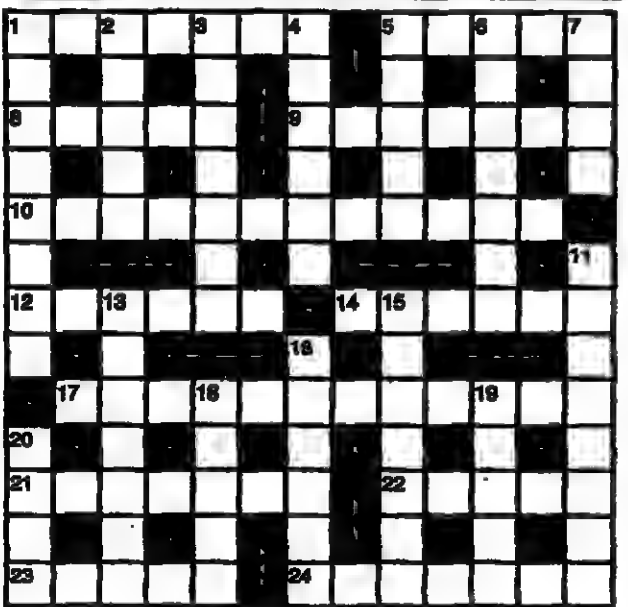
Carla Sacramento, who took the world championship bronze medal over 1,500 metres last year, came past Maria Mutola near the line to win in 4min 07.72sec. Mutola, the 1993 world 800 metres champion, was the clear favourite for the two-lap title in Gothenburg but was disqualified in her semi-final for running out of her lane. She hopes to make up for that by going for an 800 and 1,500 metres double in Atlanta.

However, Mutola has not been as dominant over 1,500 metres. She finished well down on Sonia O'Sullivan, from Ireland, and Kelly Holmes, from Britain, over 1,500 metres in Oslo on Friday.

SCOREBOARD FROM TRENT BRIDGE

INDIA: First Innings 321 (S R Tendulkar 177, S C Ganguly 136, R Dravid 64, S V Manjrekar 53)	Hussain retired hurt at 322-1 (Atherton 145)
ENGLAND: First Innings 180	BOWLING: Srinath 47-12-151-2 into 5; 15 balls: 13-3-45-0, 6-3-21-1; 2-1-10-0, 3-0-4-0, 11-3-26-0, 9-3-23-1; Prasad 43-12-184-0 into 7; 15 balls: 4-1-15-0, 6-2-15-0, 4-1-15-0, 3-1-12-0, 7-1-19-0, 12-2-29-1, 7-4-17-1; Kumble 37-6-87-1 into 10; 10 balls: 10-0-0-0, 3-1-4-0, 4-0-21-0, 10-2-35-0, 19-2-35-1; Raju 43-12-76-1 (S balls: 10-3-21-0, 11-1-29-0, 1-0-1-0, 15-6-26-1, 6-2-5-0; Ganguly 17-8-58-1 (no 3, 6 balls: 1-0-6-0, 5-0-15-0, 1-0-6-0, 10-2-28-1; Tendulkar 7-0-28-0 (3 balls: 5-0-19-0, 2-0-9-0).
*M A Atherton c Manjrekar b Prasad 180 (147min, 378 balls, 20 fours)	SCORING NOTES: Fourth day: Lunch: 395-2 (129 overs, 531min); Thorpe 45, Hick 51 Test: 489-6 (180 overs, 653min; Ealham 34, Lewis 18)
A J Stewart c Mongia b Srinath (173min, 113 balls, 6 fours)	Umpires: K T Francis (St Lucia) and G Shep. Third umpire: D J Constant. Match referee: C W Smith (West Indies).
N Hussain retired hurt 107 (259min, 180 balls, 12 fours)	SERIES DETAILS: First Test (Edgbaston): England won by 8 wickets. Second Test (Lord's): Match drawn.
G P Thorpe bow b Ganguly 48 (129min, 92 balls, 5 fours)	6-481 (Ealham 48), 7-497 (Cork).
G A Hick c Srinath b Raju 50 (140min, 85 balls, 3 fours)	2-444 (Ealham 30), 3-444 (Ealham 30), 4-481 (Ealham 48), 7-497 (Cork).
M A Ealham c sub (A Jackson) 21 (151min, 123 balls, 3 fours)	
TR C Russell c Mongia b Prasad 0 (3min, 5 balls)	
C C Lewis bow b Kumble 21 (65min, 60 balls, 2 fours)	
D G Cork not out 24 (62min, 81 balls, 2 fours)	
M M Patel not out 22 (65min, 72 balls, 1 four)	
Extras (b 18, lb 18, nb 14) 50	
Total (7 wickets, 194 overs, 774min) 550	
A D Malhotra to bat	
FALL OF WICKETS: 1-130 (Atherton 70), 2-390 (Thorpe 21), 3-390 (Hick 51), 4-444 (Ealham 30), 5-444 (Ealham 30), 6-481 (Ealham 48), 7-497 (Cork).	

TIMES TWO CROSSWORD



No 829

- ACROSS
- Animal store (3,4)
 - Below (5)
 - Comfort: applaud (5)
 - Minimal-risk proposition (4,3)
 - Shy of plain words (5-7)
 - Not yet ready (6)
 - Cloak: part of Earth below crust (6)
 - A congenial person, occupation (4,3,2,3)
 - One that stockpiles (7)
 - Chart with plotted variables (5)
 - Creator (5)
 - Streaked, spotted with colour (7)
- DOWN
- Tonic (4-2,2)
 - Greek letter 7h (5)
 - Get a move on (5,2)
 - Shooter; Falstaff crony (6)
 - Out of condition (5)
 - Peugeot list (7)
 - Mechanical repetition (4)
 - Uninvolved: (house) in own grounds (8)
 - Search thoroughly, untidily (7)
 - In the middle of (7)
 - Minimum valid attendance (6)
 - Bishopric, with Man (5)
 - Track: be behind (5)
 - Brother of Ham (Gen): of Shaun (F. Wake) (4)

SOLUTION to No 828
ACROSS: 5 Pseudo 7 Aurora 9 Arpeggio 11 Slab 12 Layer 13 Debate 15 Gazebo 17 Aloof 19 Bide 20 Pandarus 22 Radius 23 Sphere
DOWN: 1 Sprawl 2 Long 3 Cajole 4 Jamb 6 Empty-handed 8 Only too true 10 George 14 Bland 16 Bypass 18 Foster 19 Bark 21 Nasty

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Henman rises through the ranks

BY ALEX RAMSAY

TIM HENMAN left Wimbledon last Thursday with many memories. A place in the quarter-finals made him a national celebrity but, rather more important for his career prospects, the victories over Yevgeny Kafelnikov, the French Open champion, Dany Sapsford, Luke Milligan and Magnus Gustafsson have pushed his world ranking up from 62 to 39.

His rise has been nothing if not meteoric. This time last year he was ranked a lowly 276 as he fought his way back from a severe ankle injury. Now he stands just one place away from a ticket to the Grand Slam Cup tournament and the biggest pay day of his career. If Henman can match his Wimbledon performance at the US Open he would overtake Thomas Enqvist, of Sweden, to claim a place in the \$4 million event.

The man at the top of the list to go to Munich for the annual end-of-season jamboree is Richard Krajicek. By winning Wimbledon on Sunday he has moved into the top ten for the second time in his career, moving from thirteenth to eighth on the ATP computer.

Luke Milligan is also reaping the rewards of his exploits at Wimbledon, moving up the rankings from 278 to 217. His prize for such an achievement is a last-minute call-up to the Great Britain Davis Cup squad playing in Ghana later this week.

He fills the place left by Greg Rusedski who, still suffering from a hip injury, was forced to withdraw. It has not been the best of months for the British No 2 - his second-round defeat at Wimbledon costing him valuable computer points and his ranking dropping from 65 to 72.

Before Henman and his colleagues can celebrate their

success, there is the little matter of Ghana and the race for promotion from the Davis Cup Euro-African zone group two. Victory there would leave them with one further round to claim a place in group one of the Euro-African zone, that is being played at home against either Egypt or Côte d'Ivoire in September.



Henman: promotion

Although the Ghana team has only one world-ranked player in Frank Ofori, the world No 509, the Britain team of Henman, Peichey, Milligan, Nick Gould and Neil Broad are not expecting an easy ride.

The court surface is famed for being ridiculously fast while the atmosphere could be a little tense. The Ghanaians are still seething after David Lloyd, the Britain Davis Cup captain, offered them the chance to give up their home advantage and play the tie in Britain. They were not impressed.

World Rankings: 1, P Sampras (US) 4,329pts; 2, T Muster (Austria) 3,598; 3, A Agassi (US) 3,377; 4, Y Kafelnikov (Russia) 3,186; 5, B Becker (GDR) 3,182; 6, M Chang (US) 3,152; 7, G Lendl (Czech) 2,753; 8, R Krajicek (Netherlands) 2,568; 9, J Courier (US) 2,529; 10, T Enqvist (Sweden) 2,218; 11, B Rusedski (UK) 2,181; 12, T Henman 1,025; 13, G Rusedski 671; 14, C Wilander 318; 15, D Sapsford 218; 16, M Peichey 215; 17, L Milligan 178; 18, J Bates 132; 19, M MacLagan 129; 20, C Broad 120; 21, N Gould 117.

Record for Higgs, page 46

Change of spots as Leopards go blue

A sponsorship deal could tarnish sport's family image, Nicholas Harling writes

THE Budweiser League has always done its utmost to preserve and promote a family image for basketball. Yesterday it risked all by sanctioning the sponsorship of a club by Playboy TV.

The adult television channel announced a three-year deal with the London-based Leopards which, according to both parties, was the biggest ever in British basketball.

Yet it will not be so much the money as the sponsors' product that may concern some basketball authorities, not to mention parents encouraging their children to take an interest in 'Britain's fastest growing sport'.

The League was not, however, admitting to any undue

concern yesterday. Within hours of the 1995 Playmate of the Year, Julie Clatini, being photographed cavorting with two of the Leopards players, Mike Smith, the League's chief executive, said: "I'm delighted that the Leopards have sponsorship. I'm sure that the club will have considered this issue and be confident that the sponsorship is appropriate."

Smith said that there were no League constraints on sponsorship but, in the light of what happened nearly four years ago, when Salford rug-

by league club was forced to pull out of a £1 million deal with Red Hot Dutch, the Dutch soft-porn satellite station, he might have to think again on that one. Salford, also with a family image to protect, eventually went for the less risqué option and signed with ESAB, a welding company.

The Playboy TV logo will be emblazoned on the Leopards shirts and Playmates from the United States will entertain the crowd in the London Arena before two home fixtures each season.

The cheerleaders will be known as the Playboy TV Kittens but Ed Simons, co-owner of the Leopards, insisted that there had been no negative reaction. "Hopefully there will be more deals like this, bringing more money into the sport," he said.

"Playboy has become renowned for its coverage of sport and I think it's got to appeal to a mature audience. It's part of the international culture. Playboy is seen as part of an entertainment culture and this will add to the entertainment in basketball."

"Anyway," Simons added, "look at the League's sponsor, Budweiser. You can't get much more mature than that."



Chirac Government bugged phones of its coalition allies

FROM BEN MACINTYRE IN PARIS

THE French Defence Ministry yesterday admitted ordering the secret service to bug the telephones of key aides to François Léotard, the former Defence Minister and a key figure within the ruling coalition.

The phone-tapping order, approved by Alain Juppé, the Prime Minister, was issued just weeks after the election of President Chirac. Charles Millon, the Defence Minister who took over from M. Léotard, acknowledged that "two civil servants were the object of interceptions last year for reasons of national security".

Le Monde, which yesterday identified three of M. Léotard's senior aides as phone-tapping targets, reported that the taps were intended to discover if cash from arms sales to Saudi Arabia during 1993 and 1994 had been diverted to the presidential campaign of Edouard Balladur, the former Prime Minister.

M. Léotard, who helped to organise M. Balladur's unsuccessful campaign, last night demanded a full explanation from the Prime Minister. The charges of electronic eavesdropping, reminiscent of the Elysée telephone-tapping scandal that dogged the presidency of the late François Mitterrand, could not have come at a worse moment for the French Government, reeling from an investigation into Gaullist party funding and the imprisonment of the government-appointed head of the state-owned rail network on suspicion of fraud.

Earlier this year M. Léotard replaced Valéry Giscard d'Estaing as leader of the Union for French Democracy (UDF), the umbrella group comprising five centre-right parties and the Gaullists' coalition partner. M. Millon, who supported M. Chirac's presidential bid, is a member of the

UDF. Le Monde reported that between June and September last year, at least three and possibly five members of M. Léotard's immediate entourage had their telephones tapped by the Direction Générale de la Sécurité Extérieure, the French equivalent of MI6, on the orders of M. Millon's staff and with the approval of the office of the Prime Minister.

The allegations that the new Government set about bugging the advisers of a supposed political ally within weeks of its election will prove deeply damaging for M. Chirac, who came to power promising greater honesty in government and an end to corruption by politicians and businessmen.

M. Millon's staff insisted yesterday that the two telephone-taps it has acknowledged were legal and fully authorised. "These interceptions were carried out for reasons of security and are protected by defence secrecy," a ministry spokesman said last night.

The three former members of M. Léotard's team reportedly bugged by the secret service were identified by Le Monde as François Lépine, head of his

military and civilian Cabinet, Patrice Molle, his chief of staff, and Colonel Louis-Pierre Dillais, who co-ordinated "covert action" on behalf of the former Defence Minister.

Last November M. Molle personally complained about the telephone taps to the Prime Minister's office and was assured that such practices would not be repeated, the paper reported.

Another possible eavesdropping target identified by Le Monde — Jacques Douffiaques, a former minister — earlier insisted that the Defence Minister could not have ordered the wire-taps. "M. Millon is too intelligent and too honest to allow such a thing," he was quoted as saying.

M. Léotard's closest adviser, Renaud Donnedieu de Vabres, another former minister, was also identified yesterday as a possible eavesdropping target.

Wire-tapping is legal in France only if formally authorised by a special commission and the Prime Minister's office. In July 1991 France passed legislation, which is known as "the Cresson Law", which made telephone tapping illegal except in cases of national security, to defend the country's economic or scientific interests, or to prevent terrorism and organised crime.

During the so-called "Elysée eavesdropping affair" between 1983 and 1989, the anti-terrorist unit at the Palace under President Mitterrand allegedly bugged the telephones of several hundred prominent figures, including politicians, artists, lawyers, journalists and even the President's mistress.

Four of M. Mitterrand's associates are under investigation in connection with the scandal.



Léotard demanded inquiry into wiretapping scandal

British beef smuggled into Italy, claims German envoy

FROM CHARLES BREMNER IN BRUSSELS

THE European Commission yesterday launched an investigation into reports that British beef is being sold on the Continent in defiance of the export ban and officials gave a warning that London could be held responsible.

At the same time the French daily *Libération* traced the author of a six-year-old memorandum that alleged EU farm officials had tried to stifle news of mad cow disease to

protect the market. The newspaper said Gérard Castille, a former civil servant with the Commission's consumer affairs division, had been shocked by what he heard and had tried to sound the alarm.

Franz Fischler, the Farm Commissioner, said he had written to Douglas Hogg and the other EU agriculture ministers after claims by the German Ambassador in Rome that British beef was

being shipped to Italy via Ireland with fraudulent certificates. Herr Fischler said: "I am taking this very seriously, but there is no proof yet."

The Commission farm directorate said the onus was on Britain to prevent exports.

The Ministry of Agriculture said last night: "No export certificates for beef are being issued, so any that is being exported would have to be illegally disguised."



Hillary Clinton speaks to David Farikas, a patient at Tuzolto Street children's hospital in Budapest, yesterday before the American First Lady left Hungary for Estonia on her goodwill tour of Central and Eastern Europe

Lebed in military power struggle

FROM RICHARD BEESTON IN MOSCOW

AN ACRIMONIOUS battle has broken out between Russia's most powerful generals in a bitterly fought contest to decide who takes over command of the huge, but demoralised, military.

In a country where most senior officers have rarely heard a shot fired in anger, the power struggle has become the political equivalent of hand-to-hand combat. Many famous army names could appear on the casualty list.

The first attack was launched by General Lev Rokhlin, the chairman of the parliamentary defence committee and the Russian commander credited with capturing Grozny, the Chechen capital, during fierce street battles 18 months ago. He stunned the military hierarchy last week when he accused leading generals of massive corruption during the tenure of General Pavel Grachev, the long-serving Defence Minister who was sacked last month by President Yeltsin.

During his address to the Duma, the lower house of parliament, he said General Grachev had "wallowed in corruption and encircled him-

self with spongers and thieves". In particular, he alleged that Colonel-General Vasili Vorobyov, the former Ministry of Defence head of finance, had transferred \$23.1 million to a German bank from the sale of ammunition to Bulgaria — money that subsequently disappeared. Colonel-General Dmitri Kharchenko, the brother-in-law of General Grachev, was accused of placing a \$5 million government loan into a bank and living off the interest.

General Rokhlin, however, made clear that his real target was General Konstantin Kobets, the chief military inspector, who is now being

considered as a candidate for Defence Minister. He was accused of turning a blind eye to a crooked contract to build housing for officers that was awarded to a company run by his son.

General Kobets dismissed the allegations as "malicious slander" and said he and other generals were being discredited because they were contenders for the military's top job.

Irina Korbrinskaya, a Russian security expert, said that the latest allegations were part of a campaign by General Rokhlin and General Aleksandr Lebed, the National Security Adviser, to clinch the nomination of General Igor

Rodionov for the post. However, the old guard is not willing to go quietly. Colonel-General Yevgeni Podkolzin, head of Russia's airborne forces, hit back yesterday, accusing General Rokhlin of responsibility for wiping out an infantry regiment during the Grozny siege.

The tough former combat officer, however, remained unmoved and said yesterday that he expected worse to come as the leadership battle intensified. "After Grachev, Kobets would deal a mortal blow to the army and that is why I am ready for any sacrifice, knowing that I will be stained with dirt," he said.

Masada dig finds Herod wine jug

FROM CHRISTOPHER WALKER IN JERUSALEM

ARCHAEOLOGISTS working at the fortress site of Masada, overlooking the Dead Sea, yesterday claimed to have discovered the first inscription containing the full name of Herod the Great and the first evidence of daily life in his citadel 2,000 years ago.

The significance of the finds — described as the most important in the area since the digs of the mid-1960s — was reinforced because right-wing religious parties influential in the Israeli Government have threatened to stop most of the excavations taking place in the Holy Land.

According to Ehud Netzer of the Hebrew University, the Latin inscription — saying either "Herod, King of Judaea" or "Herod, King of the Jews" — was found on an amphora dating from 19BC that had been used to transport wine to the site from southern Italy. The container was found in an ancient rubbish dump.

"It is very rewarding to have his name written on an archaeological find in such an important place as Masada," Mr Netzer said of the three-line inscription naming the king who ruled Judaea from 37BC until his death in 4BC. He added that it was the first time the full title had been found in an inscription.

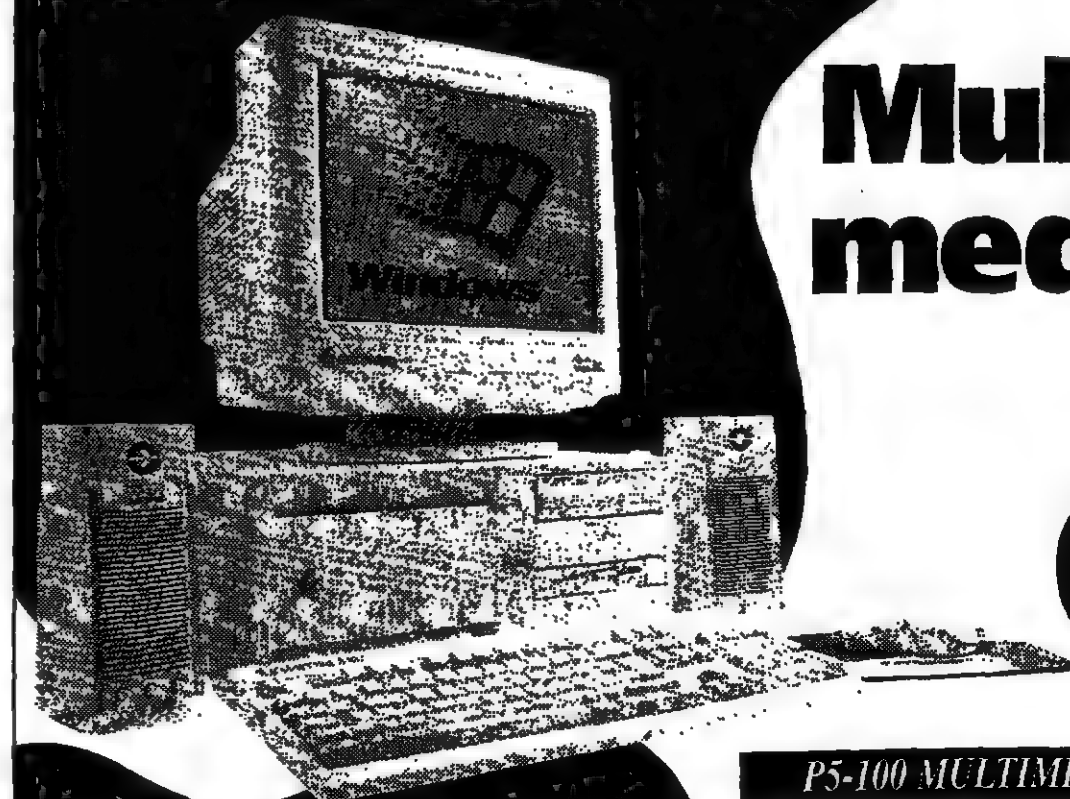
The archaeologists also found remains indicating how people lived in Herod's era. Previous digs, Mr Netzer said, had failed to discover such objects from earlier than AD66.

Among the objects unearthed were food remains from Masada at the time when Herod was king, including nuts, eggshells, dates and olive stones, as well as pieces of cloth and basketware. "It is the first time that we have an abundance of objects from Herod's own days," Mr Netzer said.

Masada was built by Herod on top of a cliff at the edge of the Judean desert and the Dead Sea valley. It was a sumptuous "retreat" which earned its place in Jewish history after the Romans breached the gates and hundreds of Jews committed suicide rather than fall prisoner.

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New Zealand flights halted as Mount Ruapehu throws up rocks bigger than cars

Spectators flock to watch volcanic 'firework display'

By JOHN CAMPBELL IN WELLINGTON AND OUR FOREIGN STAFF

GLOWING rocks larger than cars are being spat out by Mount Ruapehu, which has exploded back into life. The New Zealand volcano is spewing out so much ash that it has forced the closure of eight airports, but onlookers are turning up in droves to watch the display.

Air New Zealand said about 3,000 domestic and international passengers had suffered delays or cancellations with Auckland airport shut yesterday for the second night running. Morning fog in Wellington and Auckland compounded air travellers' misery and fears that ash might clog jet engines shut half a dozen provincial airports.

A 9,000ft. Ruapehu—Maori for "exploding pit"—is at the heart of New Zealand's central North Island volcanic region. It burst into life last September and then again last month with its most violent eruptions for half a century.

closing ski fields, roads and airports, and smothering towns with ash.

Scientists said the latest outburst was the most spectacular for weeks. Brad Scott, manager of volcano surveillance at Wairakei Research Centre, had seen molten rocks up to 30ft across thrown 300ft. Smaller rocks, or "lava bombs", were being hurled up to 2,700ft. "If this continues into this evening, central North Island people will be presented with one of the most awesome firework displays they've seen for a long time," he said yesterday.

John Funnell, a helicopter pilot who flew over the volcano with scientists, said he had never seen it in such violent mood. "The volcano would stop gassing and appear to keel over for about one minute and then it would erupt with a horrendous explosion and the molten rock would go into the air about 700ft to 1,000ft, then

crash down on the snow," Mr Scott said a light grey plume of volcanic gases had risen to 15,000ft above the volcano and was trailing over a distance of 60-90 miles, presenting a potential hazard to aviation.

The Civil Defence Ministry said the latest fireworks were "nothing to be concerned about" and there were no plans to move people from the region. Apart from causing chaos at airports, the main economic impact has been on ski area operators in the sparsely populated central North Island region. A district council survey put losses to hoteliers, tourism companies and retail businesses at \$NZ10 million (£4.5 million) since September.

Businesses that had been gearing up for the start of the country's ski season had feared the worst, but they have gained some benefit from the influx of volcano-mad tourists. Such is New Zealand's infatu-



Smoke and ash billow from Mount Ruapehu yesterday. It was the volcano's biggest eruption since a violent display last month

ation with Ruapehu that radio news bulletins, mistakenly reporting a large lava flow, prompted not panic but a rush of more onlookers.

Mr Scott said some onlook-

ers had breached a 1.2 mile exclusion zone around the volcano. "That's their personal choice. I just hope they don't get too close," Whakapapa ski field, forced to close because of

the thickness of the ash, is drawing huge crowds of sightseers.

Its manager, commenting on the presence of so many people unfazed by the poten-

tially lethal pyrotechnics taking place a few hundred yards away, was moved to observe that it was "all rather bizarre". A mid-evening television news bulletin had as its lead

story a cameraman who had filmed himself standing so close to the mouth of the volcano that he was almost in it, ecstatically telling how dangerous it was.



A satellite view of Bertha's growing menace

Hurricane has the sick fleeing hospital

FROM QUENTIN LETTS IN NEW YORK

HURRICANE Bertha, the first big blow of the tropical storm season, hit the Caribbean with 85mph winds yesterday, with the promise of worse to come.

People in the Virgin Islands, the Turks and Caicos and northeastern islands rushed to supermarkets to stock up on essentials. Puerto Rico's hospitals encouraged healthier patients to rise from their beds and walk, to make way for the likely influx of storm casualties.

In the US Virgin Islands, a radio station replaced its normal calypso tunes with hymns and frequent weather bulletins, and the Governor, Roy Schneider, imposed a 24-hour curfew in an attempt to limit looting of shops and private property — which happened last year when the islands were battered by Hurricane Marilyn.

Mr Schneider urged residents to go to shelters and said he was calling out the National Guard to help to provide

security. "I will do whatever I can to secure the island," he said. Electricity was shut off at 5am in anticipation that power lines would be blown down. Tourists who had failed to grab a precious seat on flights out of the region before airports closed yesterday settled down in their hotel rooms with playing cards and hip flasks and prepared for a blustery experience. Long-term Caribbean residents, meanwhile, complained about the early start to the hurricane season and cursed Bertha as a possible indication of a bad year for storms.

Antigua, the hurricane capital of the world, was one of the first places to report damage when electricity supplies were cut on Sunday afternoon by the storm's advance gusts. Residents of the nearby British island of Montserrat, which is already in disarray after recent volcano activity, groaned under another imminent blow from Mother Nature. People who were



recently evacuated from their homes by the Soufriere Hills "smoker" again found themselves crouching behind sandbags and sleeping on the floors of communal shelters. Hurricane Bertha did nothing for the morale of the beleaguered island, which has already seen heavy emigration because of adverse climatic conditions. Telephone communications to the

island were difficult, but Rose Willock, of the Montserrat information service, tried to sound optimistic when she told a news agency: "Montserratians are so accustomed to disasters and living through them that they have become experts at preparing."

Supermarkets throughout the Caribbean reported heavy shopping for tinned food, bottled water and building supplies. Storekeepers also spent time photographing their shelves in preparation for insurance claims.

Television weather forecasts charted the 400-mile-wide hurricane swirling angrily towards Puerto Rico and estimated that it would strike the east coast of the island, particularly the northern part. Bertha seemed to be gaining strength all the time. On the mainland of the United States, residents from Texas to North Carolina were urged to keep a check on the progress of the storm, and forecasters said there was a 10 per cent chance of Bertha hitting Florida.

Eight die as snow hits South Africa

Johannesburg: Eight people died and hundreds were trapped by snow as South Africa experienced its coldest weather in decades, police said yesterday.

The lowest temperature was 19.4F (-7C), recorded at Kimberley in the Northern Cape early on Sunday. Police in the town of Harare in the east of Free State province said the main highway from around Johannesburg to the coast was closed because of heavy snowfalls. A nearby mountain pass was under 6ft of snow.

Two people died of exposure in Pretoria: a homeless man was found by staff when they opened a petrol station, while another, thought to have been drunk, collapsed and died of cold in a street.

In the Northern Cape province, three people died through lack of ventilation while burning coal stoves.

Heavy snowfalls are rare in South Africa. Police said many people, even in areas used to cold winters, were unprepared for the weekend freeze when some regions recorded their heaviest snowfalls in 60 years. The worst was expected to be over today. (Reuters)

Blizzards put brakes on Tour

FROM SUSAN BELL IN PARIS

HEAVY snow in the French Alps forced yesterday's leg of the Tour de France to be cut drastically. The race, in its ninth day, was curtailed by almost 90 miles on the advice of local police.

"We get this type of weather only every five or ten years. In

July, you almost never get snow below 3,000 metres (9,750ft). This time we've had snowfalls as low as 1,800 metres," a weather bureau spokesman said.

Record low temperatures have hit several areas, while others have been buffeted by

high winds. Heavy rains hit campers in Brittany. On Sunday afternoon, the temperature in the central areas of Clermont-Ferrand, Macon and Dijon was 57F (14C), the lowest in 50 years.

Race report, page 42

Children of Africa beg leaders to end warlord pressgang

BY SAM KILEY, AFRICA CORRESPONDENT

AFRICAN leaders opened their annual summit yesterday shamed by an appeal from the continent's children to protect them against warlords who pressganged them into their armies and slaughtered their parents.

A delegation of 120 children from 11 countries torn apart by the civil wars, which have blighted Africa since independence in the 1960s and 1970s, begged their presidents, at the annual Organisation of African Unity meeting in Cameroon, to put an end to the enlistment of child soldiers.

Many of the delegates to the children's conference told of how they had seen their parents killed, mothers raped, or had themselves been forced into guerrilla armies and turned into what Amnesty International has described as "killing machines".

No accurate figures exist on how many under-aged soldiers are fighting in Africa. However, observation of guerrilla and regular armies in Angola, Mozambique, Rwanda, Burundi, Somalia, Liberia, Sierra Leone, and Sudan by The Times has shown that few African fighting forces can boast an average age of 17 or more.

Liberia and Sierra Leone's armies are particularly notorious for forcing children into their ranks. From the rebel commanders' point of view, children barely into puberty often make the best soldiers.

Armed and brutalised before they have developed a code of ethics for themselves, they have little idea of their own mortality and can be

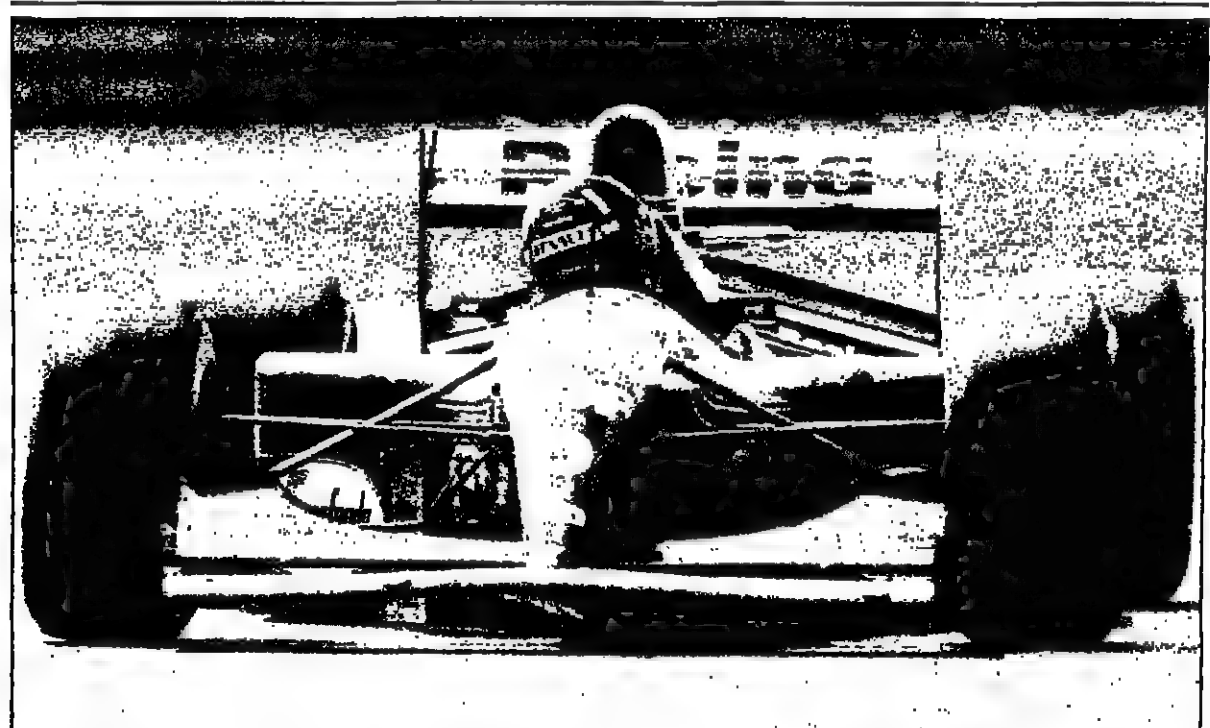
insanely brave. In Yaounde, Cameroon's capital, the children yesterday told of worse horrors. Rosemary Iboso, 16, was kidnapped by rebels in Uganda who killed her parents and cut off the lips of those they could not take with them. "I hope that the OAU will listen to us, stop the wars and rescue our lives from the rebels," she said. A 14-year-old, who was raped during Mozambique's civil war, wept throughout the children's conference preceding the OAU summit.

The organisation's chairman, President Alesworth of Eritrea, last year described the gathering of African presidents as being "largely hot air". Stung by Mr Alesworth's criticism, Africa's foreign ministers have sought ways of giving the organisation teeth and recommended that Liberia's warlords be tried before an African tribunal for war crimes.

Clelia Kinigi, 14, from Burundi, said that she hoped to be able to persuade the OAU to do something to stop the ethnic slaughter in her homeland — before it reached the scale of the killings there in which a million people died in 1994.

President Konaré of Mali was visibly moved by the children's appeals. "I am a father. When I see the killings [of children] that take place even in places such as hospitals and schools, I say to myself, 'This should not be the future of Africa. We can do a lot better,'" he told the children, brought to the summit by the UN Children's Fund.

AN EXCLUSIVE TIMES COMPETITION



Win tickets to see the British Grand Prix

The Times, in association with Silverstone, is offering readers the chance to win one of two pairs of tickets to all three days of this weekend's British Grand Prix.

Capacity crowds are expected as Damon Hill tries to secure a hat-trick of wins after his recent victories in Canada and France.

Tickets for Sunday's race are already sold out, but our two competition winners will each receive a pair of tickets allowing spectator access on all three days, Friday July 12 to Sunday July 14. These will allow access to the track's spectator areas, as well as the infield paddock where the support race competitors prepare their cars. Ticket holders will also have use of the Paddock Diner and Paddock Bar.



HOW TO ENTER

All you have to do for your chance to win one of the two pairs of tickets to the British Grand Prix is call our competition hotline below with your answer to the following question:

In which year did Damon Hill last win the British Grand Prix at Silverstone?

a) 1993 b) 1994 c) 1995

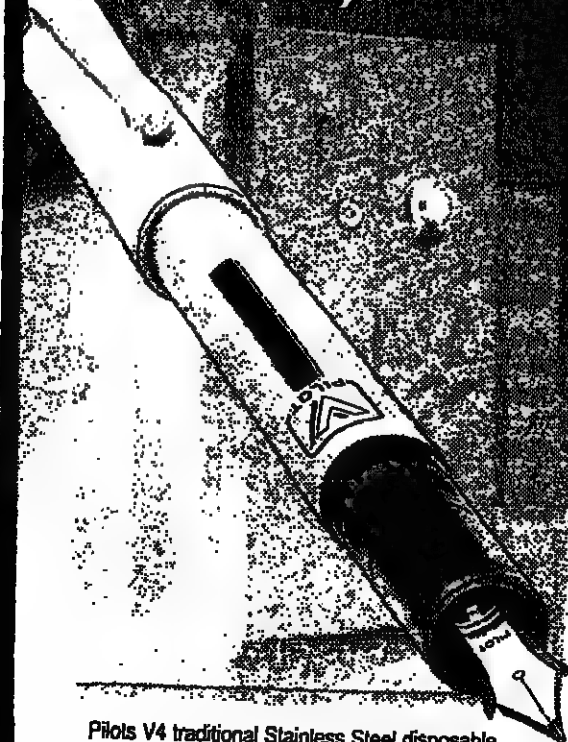
Winners will be chosen at random from all correct entries received by midnight tonight, July 9, 1996.

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Kuwait ban on Times reports

By EVE-ANN PRENTICE
DIPLOMATIC
CORRESPONDENT

KUWAIT, which professes to guarantee freedom of the press in its constitution, has banned editions of *The Times* that carry reports on the plight of Robert Hussein, the businessman in effect sentenced to death for converting from Islam to Christianity.

Mr Hussein fears for his life after an Islamic court denounced him as an apostate and Islamic lawyers ruled that he should be killed. That ruling has caused outrage in the West, especially among families of many of the Christian soldiers who fought to free Kuwait from the clutches of the Iraqi regime during the Gulf War in 1991.

The ban on *The Times* came as news emerged that a British man had been held in a Kuwaiti prison without being charged for more than three months. Ian Beaumont, 33, whose family comes from West Yorkshire, was arrested in April after being accused of fraud and is being held in a overcrowded cell which has no bed.

His father, John Beaumont, who also lives in Kuwait, helped to light the fires that threatened to ravage the emirate towards the end of the Gulf conflict and feels especially bitter about his son's detention because of this. His mother, Mary, added: "My son has to lie on the floor. Because he cannot eat the local food, he has lost nearly two stone in weight."

The Foreign Office confirmed that Mr Beaumont has not been charged and said "his initial detention was illegal" because certain paperwork had not been lodged in court. "We are looking for specific charges," it said.

Although the Kuwaiti constitution guarantees freedom of religion, and "the right to express opinion... in writing or otherwise", lawyers in Britain say that Mr Hussein's life is in danger.

The British Embassy in Kuwait said all Western newspapers were subject to censorship, but banning distribution of entire editions was "unusual". Gulf war games: The US military said yesterday that its forces would start more than a month of war games this week, mainly in the Gulf.

Blackmail wins key Israeli role for hawk Sharon

FROM CHRISTOPHER WALKER IN JERUSALEM AND MARTIN FLETCHER IN WASHINGTON

BINYAMIN NETANYAHU, the Israeli Prime Minister, yesterday succumbed to political blackmail and appointed Ariel Sharon, an arch-hawk, to a senior Cabinet post. The confirmation came shortly before a resignation ultimatum from David Levy, his Foreign Minister, was due to take effect.

In a move symbolising the return to a central position of power for the former war hero, 68, who masterminded the 1982 invasion of Lebanon and the expansion of Jewish settlements, Mr Netanyahu delayed his take-off for Washington to secure Mr Sharon's formal appointment as Minister of National Infrastructure, a new post tailor-made to fit his enormous energies.

To avert the Cabinet crisis that the resignation of Mr Levy and the withdrawal of his splinter Geshet Party from the coalition would have provoked, Mr Netanyahu was forced to twist the arms of reluctant fellow ministers and force them to hand over chunks of their own portfolios to the new super-ministry.

Asked if Mr Sharon, nicknamed "The Bulldozer", who has powerful support among the grassroots of Mr Netanyahu's Likud Party had got the better of him, the Prime Minister shrugged off the climbdown by saying: "A little dramatisation adds a little something to life."

Israel radio described the new ministry — which includes authority over oil refineries and pipelines, fuel imports and research, electricity, the expanding network of Jewish settlers' roads in the occupied West Bank, water and sewage — as "rich in spheres of influence and rich in power for Ariel Sharon".

Although Mr Netanyahu, who had earlier denied the

burly former general his desired posts of defence or finance in an attempt to minimise his ideological influence, tried to put a brave face on the hastily cobbled-together portfolio, politicians across the spectrum saw it as a clear clipping of his prime ministerial wings.

The timing also increased the hardline balance of the new Cabinet on the eve of a crucial first trip to America in which Mr Netanyahu will be attempting to secure support for his determination to replace the formula of "land for peace" with one more attuned to Israel's immediate security needs.

President Clinton's encounter today with Mr Netanyahu at the White House will do much to determine the course of US-Israeli relations and the Middle East peace process.

Mr Clinton made little secret of his support for Shimon Peres, Israel's previous leader, during the spring election, or his differences with Mr Netanyahu who so harshly criticised the American-brokered peace process. At this morning's meeting the two men must find ways to

surmount those differences if US-Israeli relations are not to return to the chill of the early 1990s.

Mr Clinton will privately seek to determine the reality behind Mr Netanyahu's tough campaign rhetoric. Fundamentally he will want to know whether Israel's new leader really rejects the principle of trading land for peace and the idea of separate territories for Israelis and Palestinians. But he will also want to assess whether Mr Netanyahu is a man with whom he can establish a good personal relationship.

On the face of it that seems unlikely. The two leaders' attitudes have been forged in entirely different crucibles. Mr Netanyahu is a right-wing former commando whose father was a fervent Zionist and whose brother died leading the raid to free Jewish hostages at Entebbe in 1976. Mr Clinton is a relative liberal who evaded the Vietnam draft and a natural conciliator.

Last night, news of Mr Sharon's impending return to the centre of power sent shock waves through the Arab world where his name provokes fear and loathing in equal measures.

Many Arabs have forgotten that in 1983 he was removed from the Defence Minister's post after an Israeli state commission found him indirectly responsible for the massacre by Lebanese Christian militiamen, then allied to Israel, of hundreds of Palestinian refugees in the camps of Sabra and Shatila.

The radical Democratic Front for the Liberation of Palestine claimed from its base in Damascus, the Syrian capital, that the appointment of Mr Sharon revealed the "bloody policy" of the new Likud administration.



Sharon: tailor-made job for enormous energies

Victory for Islamist leader as Turkish MPs trade punches

FROM ANDREW FINKEL IN ISTANBUL

THE Turkish parliament endorsed the country's first Islamist-led coalition yesterday in a heated session that saw a former Foreign Minister being punched. But Necmettin Erbakan, the 69-year-old leader of the Welfare Party, won the vote of confidence by a margin of 13 ballots.

The 278-265 vote is as much a victory for Mr Erbakan as it is for Tansu Ciller, his alliance partner who managed to head off a revolt within her True

Path party. In the end, only a handful of her MPs revolted.

Among the rebels was Ermete Gonenay, the former Foreign Minister, who was punched by a True Path colleague for voting against the coalition. Other MPs were also involved in scuffles and one legislator reportedly drew a gun. Jeli Kamhi, Turkey's only Jewish MP, abstained in protest against Welfare's anti-Jewish rhetoric. By keeping her party largely intact, Mrs Ciller, now

both Foreign Minister and Deputy Prime Minister, also confounded Mesut Yilmaz, leader of the Motherland Party. A Yilmaz-Ciller coalition only lasted three months as both tried to undermine each other.

But even those MPs opposed to the Islamist-led Government will be secretly relieved to be spared the prospect of a general election so soon after the one last December.



Dr Boutros Ghali: Somalia and Bosnia hang like millstones around his neck

'Foolhardy' UN chief insists on second term

FROM JAMES BONE
IN NEW YORK

WHEN Boutros Boutros Ghali first disclosed that he might break his promise to serve only a single term as United Nations Secretary-General, he explained: "Only stupid people don't change their minds."

The Egyptian diplomat has embarked, however, on a gamble that many diplomats at UN headquarters consider foolhardy. At this week's summit of the Organisation of African Unity in Cameroon, he is seeking Africa's endorsement for a second five-year term despite open opposition from the United States.

Dr Boutros Ghali, 74, who once said he planned to spend his retirement on the Riviera writing his memoirs and watching pretty girls, believes that Washington can still be strongarmed into giving him at least a couple more years.

The Clinton Administration is adamant that its decision to veto his re-election is "irrevocable" and American diplomats have launched a furious lobbying effort to persuade

COMMENTARY

African nations to ditch him. When Dr Boutros Ghali took office in 1992, the UN stood on the brink of a Golden Age. After decades of stand-off between the superpowers, the organisation had finally been able to deliver on its promise of collective security by assembling a victorious coalition for the Gulf War.

A man of academic bent, he issued a warning that the world had unreasonable expectations of the UN and that it faced a "crisis of too much credibility". After the debacles in Somalia and Bosnia, that crisis, at least, has clearly been resolved.

It is, of course, unfair to blame a single man for squandering the opportunities created by the end of the Cold War. Yet there is a tendency at UN headquarters to minimise the role of the strong-willed Secretary-General to the point where every policy failure is considered the fault of the UN member states.

In truth, Dr Boutros Ghali was a key policy-maker both in Somalia and Bosnia. Both

operations, the largest in UN history, hang like millstones around his neck.

In Somalia, he tried to engage the United States in a civil war in which it had no compelling national interest. In Bosnia, almost exactly the reverse was true. He manoeuvred to prevent the world's one remaining superpower from unleashing its military might in a civil war — a "rich man's war", he called it — on which the future of Nato and Europe depended.

A left-wing, Sorbonne-educated intellectual, Dr Boutros Ghali preaches an old-fashioned Third Worldist ideology and frequently complains of "Euro-centrism" at the UN. But even his persistent advocacy of African causes now falls on deaf ears because of the fiasco in Somalia, with tragic consequences in Rwanda, Angola, Liberia and Burundi.

In many ways the UN finds itself back where it was after its violent intervention on the Congo in the early 1960s, reluctant to mount big new peacekeeping operations and effectively renouncing "peace enforcement".

NEWS IN BRIEF

Calabria gang boss held in dawn raid

Rome: Italy has struck a double blow at organised crime, arresting a gang boss in Calabria and reopening a 7th-century Rome church, San Giorgio al Velabro, that was reduced to rubble by a Mafia car bomb three years ago (Richard Owen writes).

In a dawn raid, Italian special forces arrested Nicola Arena, a leading member of the 'Ndrangheta organisation. Based in Italy's deep south, the 'Ndrangheta has proved more secretive and close-knit than the Sicilian Mafia.

The anti-mafia crackdown by the Government of Romano Prodi appears to be having an effect in Calabria as well as in Sicily, where Giovanni Brusca, the Cosa Nostra "boss of bosses", was arrested last month. Arena has been sentenced to 14 years in absentia for gang crimes.

Ferry drowning

Copenhagen: A Swedish couple and their son, 13, drowned when their car mounted the wrong ramp at Fredrikshavn ferry terminal in eastern Denmark and plunged into 30ft of water. (Reuters)

Libya clashes

Mersa Matruh, Egypt: Five people were killed in the Libyan coastal town of Benghazi after a gun battle between police and Muslim militants, travellers arriving in Egypt said. (Reuters)

Crash kills 11

Nairobi: Eleven people were killed and 16 others seriously injured when a bus overturned in western Kenya, state-owned radio reported. Police had difficulty freeing the victims. (AFP)

Ecuador test

Quito: Abdala Bucaram, who has become Ecuador's President at his third attempt, with 54 per cent of the vote, faces governing with a small minority in the traditionally hostile Congress. (Reuters)

Station bomb

Lahore: One person was killed and 30 hurt by a railway station bomb at Faisalabad, Pakistan, police said. There have now been nine explosions in the area since April, killing 80 people. (AFP)

Damping down

Helsinki: The Finnish town of Pielksamaki held a "Happy Days" weekend to cheer up its inhabitants after last year being ranked the country's gloomiest place. Saturday was ruined by rain. (Reuters)

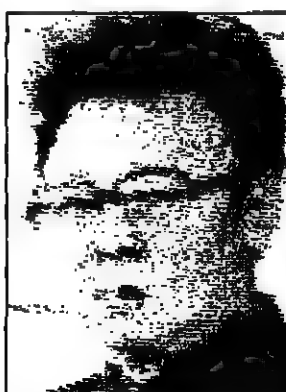
Starving North Koreans pay tribute to late leader

BY JAMES PRINGLE AND OUR FOREIGN STAFF

TENS of thousands of North Korean troops and civilians paid elaborate homage yesterday to the late "Great Leader", Kim Il Sung, even though hunger is rife and people have resorted to eating grass and tree-bark to stay alive.

The memorial ceremony also saw his son, Kim Jong Il, still waiting in the wings as crown prince. Flanked by generals and senior leaders of the ruling Workers' Party, Kim Jong Il made one of his most public appearances on the balcony of the Kumsan Memorial Palace. North Korean television showed him, dressed in his trademark black tunic, gazing unsmilingly at the crowd below.

The presence of the officials on the balcony gave Kim Jong Il, 54, the imprimatur of power. But observers said the son, whose health has been the subject of speculation, appeared less stout than before.



Kim Jong Il at yesterday's elaborate ceremony

There had been expectations that Kim Jong Il would be formally crowned on the second anniversary of the death of his father, who died of a heart attack. But it now appears that he is likely to sit out the full three-year mourning period before taking over the

titles of State President and Secretary-General of the Workers' Party. An editorial in *Rodung Sinmun*, the party's flagship newspaper, seemed to indicate yesterday that authority had already passed to Kim Jong Il, when it said his father's great achievements "have been thoroughly taken over without any political vacuum".

Diplomats are warning that the North Korean economy is in a catastrophic state and the country may attempt a desperate attack on the South to distract attention from its internal problems.

Russian sources say hungry North Koreans have been surrounding the Russian Embassy in Pyongyang in the hope of picking "nutritious" white globe thistles growing inside the compound. Analysts say another poor harvest and a lack of foreign aid would be disastrous.

Hague court declines to give nuclear ruling

By MICHAEL BINYON
DIPLOMATIC EDITOR

THE International Court of Justice yesterday refused to give a ruling on whether nuclear weapons should be outlawed, saying that it was not competent to make such a judgment.

The court, based in The Hague, called the weapons the "ultimate evil", but said it could not rule definitively whether the threat to use them

extreme case of self-defence, in which the very survival of a state would be at stake.

The 14 judges were equally split in their response to the request for a ruling by the World Health Organisation and the United Nations General Assembly. The decisive vote was cast by Muhammad Bedjaoui, the President.

The case aroused enormous interest, and more than 20 UN members gave evidence to the court. The US had urged the

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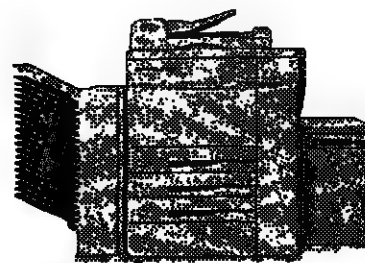
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Hillary, Susan — and baby makes three

At San Francisco City Hall gay couples can exchange solemn vows. All very well, says Giles Whittell, but is it marriage?

The wedding of Susan McCreedy and Hillary Hurst began with an apology. "This is my first domestic partners ceremony and I am a little nervous," the county clerk said in a thick German accent. "If you don't mind, I will read from the book."

Susan and Hillary seemed nervous, too. Facing each other in the tiny wedding room of San Francisco's City Hall, each clutching a small bouquet as the clerk spoke from her ring-binder about entering into "an intimate and committed relationship of mutual caring", they could hardly stop giggling.

A few minutes later, the mood of the event had changed. By the time the clerk, a matronly widow called Mrs Greenly, invoked the power vested in her by the city and county of San Francisco to declare the women standing before her lifetime partners, Hillary's face was suffused with pink and tears were coursing down her cheeks. Wendy (already "married" to Kerry and an official witness for Susan and Hillary) seemed to speak for all four women when she explained afterwards that the domestic partnership ceremony recently approved for use in San Francisco is "something that, as lesbians, you don't think you're ever going to hear or say".

"It holds more power than straight marriages," says Wendy. "Husband and wife? So what? Lifetime partners is so deep."

With due respect to the formidable Wendy — a restaurateur, filmmaker and priest of the Universal Life Church who calls herself "a full and practising Jewish lesbian" — the power of America's first gay wedding ceremony is subjective at best. It lacks the legal weight of a heterosexual marriage, which is

why city hall officials are not allowed to call it a wedding and visitors who do so are corrected rather sternly.

Nevertheless, to stand before a county official and proclaim undying love for each other in return for a certificate is all the rage among same-sex couples in the nation's unofficial gay capital.

It has been possible only for a few months. In March, fulfilling a campaign promise, the city's new Mayor signed into effect the necessary ordinance for "domestic partnerships", drafted by a lesbian city councillor.

Mayor Willie Brown is heterosexual and best-known for being black and fond of fast cars and Italian suits. He is also proudly "gay-friendly" (to be otherwise in San Francisco would be political suicide) and a consummate political showman. Backed by marching bands and the San Francisco Gay Chorus, he officiated in person at the inaugural domestic partners ceremony in March.

It was a minor triumph: 175 couples turned up, cooking a snook at the state assembly's conservative majority. Like many state legislatures, California is scrambling to outlaw gay marriage out of fear of developments in Hawaii, where the state Supreme Court could give homosexuals full marriage rights very soon. "The whole world is watching what Hawaii does. Because if one state acknowledges our right to marriage, the others have to," says Hillary, who readily admits that what she is doing is partly a political statement.

There is also the little matter of starting a family. Susan, who is 38 and a health education training officer for the city, is eight months pregnant. She conceived by artificial insemination with syringefuls

of sperm from an anonymous but suitable donor — sensitive, dark-haired, Jewish, an avid walker and a lover of classical music, according to the handwritten note accompanying the frozen vials. (Choosing was "a bit like shopping for carpet.") It took four attempts at \$175 a try in hospital fees, plus \$135 per vial and an extra \$50 each time to have the sperm "percol washed" for extra swimming power.

"It's complicated. It's expensive and it's really hard," Susan says. "We were very lucky." She adds that Internet chat rooms in the San Francisco Bay area are full of bulletin-board lists of "infertile lesbians" seeking good sperm and swapping tips on banks and clinics. These women, apparently, are the footsoldiers of something called the Gayby Boom.

When Kieran Hurst McCreedy is 18, he — they know he is a boy — will have the option of meeting his biological father. In the meantime, his two mothers are getting hitched. Not that they are coy about having a child out of wedlock. But they resent what they see as the heterosexual establishment wanting it both ways: condemning gay promiscuity with such clampingdowns as the closure of San Francisco's public bathhouses in the early 1980s, when they were considered a hotbed of AIDS infection, while claiming a monopoly on family values.

Consider America's 50 per cent divorce rate among traditional couples, Susan suggests. Consider also, says Hillary, that she and Susan have been together for seven-and-a-half years, ever since Susan "came out". Add to the equation their infectious cheerfulness, steady employment and com-



Susan and Hillary tie the knot in a San Francisco ceremony. The city is happy with their new status, the state of California is not

fortable home across the bay in safe-but-vibrant Oakland, and it is hard indeed to see how the Brady Bunch would beat them in a nurturing contest.

But there are practical as well as symbolic reasons for Susan and Hillary to come together like this, on a Friday morning when they could be at work. While not recognised by the state, their domestic partnership lets Hillary sign on to Susan's dental insurance plan. It gives each a spouse's right to hold the other's hand in hospital, even if a doctor would prefer her to be elsewhere, and each the right to

be named as heir and lifetime partner in the other's will.

To cap it all, they are in love — though there will be no honeymoon. There are limits to their conformity. "We did everything in reverse," says Hillary, still pink. "We had our honeymoon first, then we got pregnant, then we got a joint account and now we're married."

Instead they are heading north to spend the weekend with "a great group of dykes" in Guerneville, a gay mecca on the picturesque Russian River, 90 minutes north of the city. Near by, secreted among redwoods and visited once a year

by an extraordinary all-male collection of international jet-setters, is the Bohemian Grove, part of a San Francisco club founded around the turn of the century by Jack London, among others.

Susan and Hillary seemed destined for a less extravagant but more truly bohemian weekend — a continuation of the journey of self-discovery they began with a kiss back in 1988. That was when Susan decided, after what she describes as a happy heterosexual earlier life, that given the choice she would

rather sleep with women. Hillary had known for years. Now 42, she "came out" aged 19 in New York City. "I was basically a baby dyke of the gay liberation movement," she says, fondly remembering the short hair, big boots and militant zeal of the era. "It was a wonderful, exciting time to be a young lesbian." And now? She puts it as only a Californian can: "Karmically, I guess the reason I'm a lesbian is to find out more about myself as a woman."

And she now has plenty of time to find out about her lifetime partner, too.

An illness that strikes one in ten

Tell-tale signs of depression

WHEN Sir Edward Heath visited Norwich during his time as Prime Minister, he asked one of my sons, who was then five, if he wanted to be an MP when he was older. My son smiled but replied fiercely: "No. When I grow up I shall be a proper daddy and stay at home."

My son's reply was a revelation as until then I had no idea that my absence at Westminster, midweek while he was at school, made much difference to our family life.

My son's psyche seems to have survived unscathed but Alex Carlile feels that a parliamentary lifestyle may have contributed to his daughter Ruth's persistent depression and may now be hindering her recovery. Mr Carlile has been talking about the effect of an MP's life on children and the influence it has had on his decision not to seek re-election for Montgomery.

He emphasised that whereas most MPs' children were apparently unaffected by their fathers' peripatetic life and long hours in the House, others suffered. Ruth was in bed by the time he got home, and was still asleep when he left for work next day. She had been depressed for two years; after treatment she showed initial improvement, but unfortunately she had relapsed.

Mr Carlile made the point that as well as the obvious psychiatric and behavioural problems which could result from having an absentee parent — which had been noted in other Members' children — there was a more subtle danger. Children who have an unusual home life were particularly vulnerable to youth-targeted campaigns, which could wreak havoc by distorting immature thought when the young person was unsupported by the realism and experience provided by the presence of both parents.

Ruth Carlile is fortunate that she has such a considerate and enlightened family who freely admit that she is depressed, see no stigma in having an illness of this type and have made every effort to seek out the best treatment.

She is not alone; one in ten people will at some time in their life become depressed, enough people to ensure that

on average, every day every GP in the country will see one case. Despite its frequency, 20 per cent of cases of depressive illness are not correctly diagnosed for at least six months, and 50 per cent are probably missed altogether.

Doctors are now more aware of the standard psychiatric symptoms which herald a depressive illness, these have recently been described in the *Practitioner* magazine. Alarm bells will be rung when a patient has obvious feelings of guilt and worthlessness, impaired concentration, loss of energy and fatigue, suicidal thoughts, increased or decreased appetite, is sleepless or so excessively tired that they sleep unusually long hours, or is agitated or inert. The far more difficult cases to spot are those in which a patient seems only to have lost enthusiasm for things previously enjoyed.

Perhaps the greatest handicap of all to early diagnosis, is somatisation. This is a medical term for the over-emphasis of various symptoms such as muscle weakness, aches and pains, headaches, back aches, nausea and dizzy spells by depressed patients. Doctors have still to persuade many patients that physical problems can have a psychiatric cause. GPs must always be on the alert and investigate symptoms in case they represent physical disease, but they may fail to detect the underlying mental state which is causing the trouble.

DISCUSSION, cognitive therapy — a form of behavioural therapy in which patients are taught to correct various errors they have in the way they think of themselves and life around them — and in many cases medication allow most people with depressive illnesses to lead normal lives.

Mr Carlile's own childhood was distorted by the loss of two grandparents, two uncles, an aunt and numerous cousins who were murdered in concentration camps. He is determined that his own domestic life will not be disrupted, even if in his case it would only be by the Whip's office, and so he is genuinely retiring from Westminster to spend more time with his family.



DR THOMAS STUTTARD

OPEN LETTER TO A CARING COMMUNITY

There seems to be so much avoidable suffering in the world. We appeal for your support to reduce avoidable suffering.

We aim to raise funds to advance scientific research into pre-natal and post-natal experience. This research is needed to identify areas of harm or benefit to unborn and premature babies, including above all the question of pain and its alleviation.

This information becomes increasingly relevant as medical ability to operate advances. Invasive surgical techniques in the womb including termination (20,000 fetuses are terminated annually in the UK after 15 weeks), life saving about insertions (where fluid is drained from the baby), blood transfusions, keyhole surgery (where the baby is operated on whilst still in the womb) and routine tests such as amniocentesis are all currently performed with no pain relief for the pre-born.

It was discovered ten years ago that premature babies who need surgery also need anaesthetics. The survival rate was found to increase dramatically when deep anaesthesia was administered. Further research is now needed to enable doctors to provide improved control of suffering.

The right to ban cruelty to animals is being established. This right should apply equally to avoidable human suffering. A recent report by a research specialist in the *Lancet* adds to the evidence of pre-natal distress and recommends anaesthetics to minimise it.

All can unite with our appeal for the new-born and pre-born to be protected from pain. But research is needed to determine HOW pain relief can be provided. We aim to raise funds for the few research centres working to achieve this.

We also call for increased research into pre-natal influences and their long term consequences. This is urgently required. More information is needed on measures which help to build healthy babies. Research is equally needed to identify influences in the pre-natal environment which may cause illness later on in life.

Will you support our work for these and other priorities which will ensure Women and Children's Welfare?

A public fund-raising appeal has been launched. It is endorsed by community leaders. The following are already Co-Convenors:

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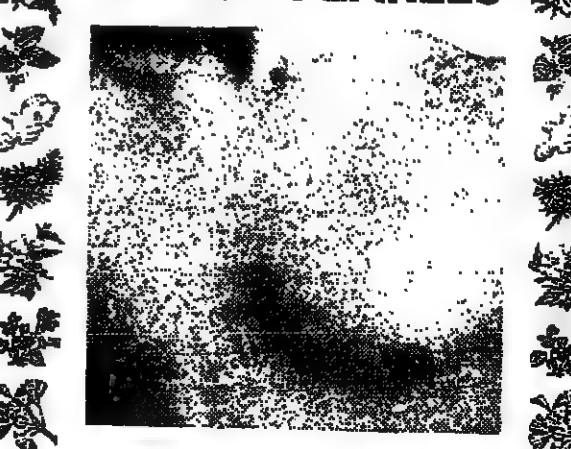


MEDIA

Tomorrow in *The Times* Andrew Jaspán, former Editor of *The Observer* gives his verdict on the paper's new look

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The final part of Joachim Fest's controversial new book: torture, trial and execution

By the evening of July 20, the attempted coup had failed. As news spread that Hitler had survived, the conspirators in Berlin were overpowered and Stauffenberg himself was shot by firing squad. General Beck, the putative Chancellor, shot himself. In Paris, Prague and Vienna, where the SS had been arrested on Beck's orders, the Nazis speedily regained control. Under Himmler's personal direction, the Gestapo began the process of identifying and arresting the resistance throughout the Reich.

As the curtains fell on their lives, these brave men hoped for one last chance to expose the true nature of the regime. The illusion that they would be allowed to speak their minds freely at their trials was soon shattered, however, as was the belief, cherished primarily by the military men, that every legal formality would be observed and that they would be treated in a manner consonant with their standing in society.

Although the investigators found themselves groping in the dark at first in their search for conspirators beyond those immediately implicated, over the next few months they succeeded in arresting some 600 suspects. A second wave of arrests in mid-August, known as Operation Thunderstorm, put 5,000 putative opponents of the regime behind bars.

Apparently Hitler had originally intended to stage a great spectacle modelled on the Soviet show trials of the 1930s, with radio and film coverage and lengthy press reports, but he was soon forced to abandon all such plans.

Schulenburg, for example, declared before the court: "We resolved to take this deed upon ourselves in order to save Germany from indescribable misery. I realise that I shall be hanged for my part in it, but I do not regret what I did and only hope that someone else will succeed in luckier circumstances." Similar declarations from numerous defendants increasingly put the authorities on the defensive, and on August 17, 1944, Hitler forbade any further reporting of the trials. Not even the executions were publicly announced.

The Gestapo had considerable difficulty determining the breadth of the conspiracy. It is known, for instance, that Stieff and Fellgiebel held out for at least six days under torture. Contrary to legend, no list of conspirators or a projected Cabinet was ever found, and as late as August 8 York was able to tell prison chaplain Harald Poelchau that the Gestapo still knew nothing about the Kreisau Circle. Moltke's name was not uttered until Leber's interrogation on August 10. Schulenburg, who survived the war to write a detailed account of the four types of torture employed — beginning with a thumbscrew-like device to screw spikes into the fingertips and progressing to spike-lined "Spanish boots", the rack, and other horrors — did not reveal the names of his co-conspirators at Army Group Centre, even when the mutilated corpse of his friend Tresckow was exhibited and shown to him. Despite severe tortments, not much more than was already known could be dragged out of Jensen, Langbehn, Oster, Kleist-Schmenzin and Leuschner. But what these and many others



Hitler's justice: the President of the People's Court, Roland Freisler, opens a session on August 8. Freisler, a boastful bully, stands before a bust of the Führer

Betrayed by the British

refused to reveal in so-called intensified interrogation — in which all the horror and vengeful fury were brought to bear on them — the Allies now did. As if eager to do one last favour for Hitler, British radio began regularly broadcasting the names of people alleged to have had a hand in the coup. Roland Freisler, the President of the People's Court, was able to show Schwelin von Schwanefeld an Allied leaflet that heaped scorn on the conspirators, just as Nazi propaganda was doing.

The military "court of honour" that Hitler had demanded met on August 4, with Field Marshal Rundstedt presiding. Without any hearings or presentation of evidence, they drummed 22 officers out of the Wehrmacht, thus depriving them of the legal protections of a court-martial, just as Hitler wanted.

Responsibility for trying the accused fell now to the People's Court, which had been specially constituted in 1934 to judge

"political crimes". Hitler ordered the cases heard in closed chambers before a small, select audience. He invited Freisler and — if the reports are accurate — even the executioner to Führer headquarters, where he instructed them to refuse the condemned men all religious and spiritual comfort. "I want them to be hanged, strung up like butchered cattle," Hitler said.

The trials began on August 7 in the great hall of the Berlin Supreme Court, which was hung with Nazi flags for the occasion. The accused were Witzleben, Hoepner, Stieff, Hase, Bernardis, Klausner, York, and Hagen. Further to humiliate the conspirators, they were

forbidden to wear neckties, and Witzleben was even denied braces for his trousers. Hoepner was dressed in a cardigan. All bore the signs, as one witness reported, of "the tortures they had suffered while in custody". Presiding over the scene was Roland Freisler, attired in his red judicial robes and seated beneath a bust of the Führer.

Freisler had been appointed President of the People's Court two years earlier, and in him the regime found a man in its own image. He had been taken prisoner by the Russians during the First World War and become a Soviet commissar after the October Revolution; he liked to boast that he had begun his career as a dishard

Communist. With his cynical bent and taste for radical politics, he joined the Nazis in 1925.

His loud, bullying style was matched by his theatrical temperament, his fondness for adopting extravagant poses, and his pleasure in exercising power over life and death. The psychological corollary to all this was his fawning subservience to Hitler. He played his roles to the hilt, outraged one moment, then cutting, then affable, now and again seeming to enjoy sharp-witted repartee. All in all he was the kind of man who rises to the top in turbulent times, when all values and principles are placed in doubt.

None of the accused was allowed an opportunity to address the court at length or even to reach any sort of understanding with their attorneys, who were seated some distance away. A good many of these attorneys openly supported the prosecution's case. Freisler sentenced all

eight defendants to be hanged, ending the proceedings with the words: "We return now to life and to the struggle. We have nothing more in common with you. The Volk has purged itself of you and remains pure. We fight on. The Wehrmacht cries: 'Heil Hitler!' We all cry: 'Heil Hitler!' We fight together with our Führer, following him, for Germany's sake!"

Thus the trials proceeded, case after case. The next session was held on August 10, when Fellgiebel, Berthold von Stauffenberg (brother of Claus, the assassin), Alfred Kranzfelder, and Fritz von der Schulenburg were paraded before the People's Court. Freisler seemed particularly irritated by the quiet dignity and disdain of Schulenburg. Josef Wimmer was arraigned not long afterward. When Freisler remarked that Wimmer would soon find himself roasting in Hell, Wimmer bowed curtly and replied: "I'll look forward to your own imminent arrival, your honour!"

On the afternoon of August 8, the first group of condemned men was transported to the execution grounds in Plötzensee prison. Although Hitler had expressly forbidden any spiritual consolation, the prison chaplain, Harald Poelchau, did manage to "speak quickly" with Witzleben and Hase.

Once inside Plötzensee, the prisoners were allowed only enough time to change into prison garb. One by one, they crossed the courtyard in wooden shoes, under the ever-present gaze of a camera, and entered the execution chamber through a black curtain. Here, too, a camera recorded their every step as they arrived and were led to the back of the chamber to stand under hooks attached to a girder running across the ceiling. Floodlights brilliantly illuminated the scene. A few observers were standing around: the public prosecutor, prison officials, photographers.

The executioners removed the prisoners' handcuffs, placed short, thin nooses around their necks, and stripped them to the waist. At a signal, they hoisted each man aloft and let him down on the tightened noose, slowly in some cases, more quickly in others. Before the prisoner's death throes were over, his trousers were ripped off. After each execution the chief executioner and his assistants went to the table at the front of the room and forbade themselves with brandy until the arrival of the next victim. Every detail was recorded on film, from the first wild struggle for breath to the final twitches.

Hitler had already "eagerly devoured" the arrest reports, information on new groups of suspects, and the statements recorded by interrogators. Now, on the very night of the first trials and executions, the film of the proceedings arrived at the Wolf's Lair for the amusement of the Führer and his guests. He could not get enough of watching his foes go to their doom. Days later, photographs of the condemned men dangling from hooks still lay about the great map table in his bunker. As his horizons shrank on all sides, Hitler took great satisfaction from this, his last great triumph.

Plotting Hitler's Death, by Joachim Fest, is published by Weidenfeld and Nicholson on October 14, £20

During the war, the German resistance continued to focus its efforts on Britain, despite the misunderstandings, exasperation and devastating setbacks that had characterised its overtures in the late 1930s. Most of the conspirators felt that Britain was somehow closer to them than America or the Soviet Union, not just geographically. Just as opposition emissaries had sought contacts in the British capital in the late 1930s, they now sought to contact London through British posts in neutral countries.

For example, in May 1941 Carl Goerdeler passed along to Britain a peace plan approved by Field Marshal Brauchitsch: the Cabinet declined even to acknowledge it. The British middleman then told his German contact that he had been forbidden to accept any further such documents.

In May 1942 Bishop George Bell of Chichester met

Eden refuses to listen



Eden, above, spurned Bishop Bell, below



ical consequences. He prayed for a German defeat. Schofield, on the other hand, brought only one question: would the Allies respond in the same way to a Germany that had liberated itself from Hitler as it would to a Germany still under his rule?

Bell forwarded a report to the British Foreign Office, but Anthony Eden, the Foreign Secretary, wrote back only to say he was "satisfied that it is not in the national interest to provide an answer of any kind". When Bell approached the Foreign Office again, Eden noted in the margin of his reply: "I see no reason whatsoever to encourage this pestilent priest!"

The Allies did not even trouble themselves to reject the various attempts to contact them; they simply closed their eyes to the German resistance, acting as if it did not exist. The

sense of common ground on which they based their appeals was not shared by the British, who could never free themselves of the suspicion that they were dealing with a bunch of traitors, or Nazis in disguise. The phenomenon of committing "treason" for high moral or philosophical purpose, so characteristic of the 20th century, was still an enigma to them.

The real reasons for the attitude of the British were probably their rigidity of thought, their hostility, their blindness, and a political obtuseness that for all intents and purposes represented "an alliance with Hitler", to quote Hans Rothfels. If a policy consisting of periodic cautious gestures of support had been pursued — which was all that the German opposition wanted — it might well have been possible gradually to

drive a wedge between the Nazi regime and the people. Instead, Allied policy drove them into each other's arms.

In the Casablanca declaration of January 24, 1943, when President Roosevelt vowed in Churchill's presence that the Allies would "continue the war relentlessly" until they achieved "unconditional surrender", the cold-shoulder approach to the resistance was given the seal of official strategy.

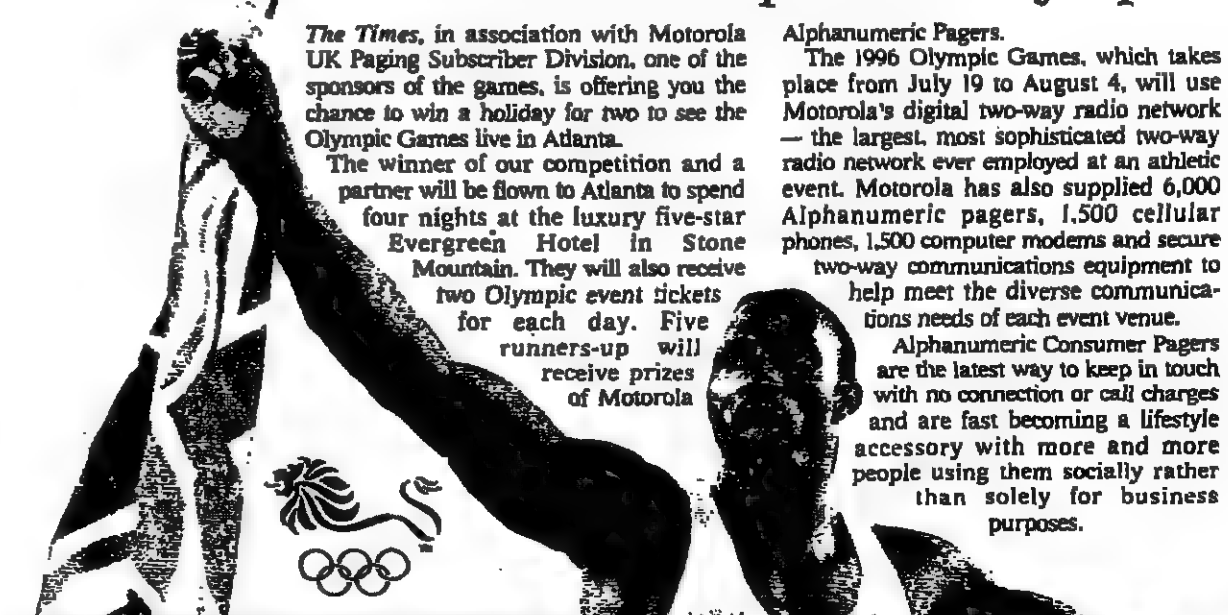
The lesson of Casablanca was that the resistance was on its own. Ironically, the social isolation of the resistance continued even after the war, for as the end drew near, Nazi propagandists and Allied spokesmen joined forces in a *de facto* coalition to belittle the accomplishments of the resistance and disparage its motives. In the Commons, Churchill described the events of July 20 as a murderous internecine power struggle.

There are many reasons for the failure of the German resistance: emotional breakdowns, inhibitions, clumsiness, indecision, and the vastly superior power of the opponent. Any fair-minded assessment, however, must also take into account the brusque dismissal that the resistance received from those with whom it believed, mistakenly as it turned out, that it was safely in league.

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Mandela's medicine is working

We won't succumb to 'African syndrome', says Denis Worrall

President Nelson Mandela's state visit to Britain, which begins today, is a personal triumph for a man who has played a vital role in one of the more successful political transitions of the 20th century. In honouring him, the British deserve a good share of the credit for bringing about the "new" South Africa, and in particular for the Thatcher-Howe policy of the 1980s.

A lot of British and American comment on South Africa — which inevitably affects business attitudes — is based on "the African syndrome", which assumes that now blacks rule the country, it will inevitably go the way of much of the rest of the continent. How else can one explain the persistent fallacy that the country will fall apart because of Zulu claims to independence — when the argument is as much between Zulu and Zulu as between Inkatha and the ANC?

But South Africa, whether Afrikaner or black run, is different from the rest of the continent. First, it is economically far more developed than any other state on the continent: it has a larger middle class, a more urban population and bigger non-African minorities. Secondly, it has stronger traditions of parliamentary government, and much older political parties (the ANC goes back to 1912). Thirdly, a common feature of African single-party systems has been the long tenure of office of "heroic founding leaders" — including Kenyatta, Kaunda, Banda and Nyerere. Given Mandela's determination to retire in 1999, the country will be spared this form of political sclerosis. Finally, civil society — the web of associations and institutions which exist independently of the state — is more highly developed in South Africa.

For the first time, South Africa has a Government elected democratically on a nationwide basis. Although the ANC is by far the dominant party, and will continue so for years to come, the 1994 election established a multi-party system. The emergence of three major parties — the ANC, the National Party and the Inkatha Freedom Party — will encourage future elections based on healthy party competition. The Western Cape is run by the National Party, while KwaZulu/Natal is run by Inkatha, and these important provinces are important checks on single-party domination at all levels.

The ANC's commitment to inclusive South African nationhood is deeply ingrained, and it has successfully fought off proponents of narrow "Africanism". For a time it looked as though the Pan-African Congress would be a formidable rival to the ANC, but its disastrous performance in the elections of 1994 and 1995 suggest that it is a spent force. Aside from giving comfort to whites and other minorities, the ANC's approach to nation-building has also helped to marginalise the white right wing. The Government of

National Unity, which emerged from the 1994 election, has produced a new "centre".

South Africa's political centre now consists of all the parties in Parliament, with the exception of the Pan-African Congress. F.W. de Klerk, as leader of the National Party, has greatly assisted this.

The change of regime in April 1994 generated substantial expectations of future material and social benefits among first-time voters. The Government's reconstruction and development programme is designed to address these, and it has been adopted by all parties in Parliament.

After years of minimal or even negative growth, the economy grew by 3 per cent in 1995; fixed investment was up 6.5 per cent; exports were up 20 per cent and inflation was lower than it had been since 1972. This reflects increased business confidence at home and greatly expanded international involvement — notably from South-East Asia. The single biggest foreign investment in South Africa's history was recently made by a Malaysian company.)

Economic policy is characterised by a surprising pragmatism. Favouring "market-friendly" policies, the Government has begun phasing out exchange controls, has drastically reduced import tariffs, and will shortly begin to privatise.

The unions strongly oppose all these measures, but the ANC will take them on and beat them — less by direct confrontation than by flanking manoeuvres.

South African business is happy with the direction of policy; its main reservations relate to the lack of detail and the pace of implementation, but a new strategy is now in place. Generating jobs is critical to the wellbeing of the country's new democracy. The strategy aims at 6 per cent growth and the creation of 400,000 jobs per annum on average by the year 2000. This is a big challenge — and the formal sector is expected to produce no more than 2 per cent of new jobs in 1996.

In their recent report, *Investing in South Africa: The Opportunities and the Political Risks*, Professor David Welsh and Vuyo Bavuma are cautiously optimistic. According to them, social and economic delivery has picked up in 1996, and they forecast an acceleration before the election in 1999.

The South Africa that Mr Mandela will be representing in London is a much better place to live for the great majority of its inhabitants, but also a country with problems. These include the inherited distortions in education, housing and welfare, and high levels of crime. Events such as the trial of former Defence Minister Magnus Malan and ex-security chiefs will cause their own stresses. But what cannot be faulted is the standard of political leadership that the country has produced.

The author was South African Ambassador in London from 1984 to 1987.



A religion rarely tried

This is the season of speech day pieties — but how Christian are they?

The speech day sermons have begun, and homilies from the pulpit will soon be falling thick and fast upon the parched soil of our immortal young. Remember, children: the race is not always to the swift, nothing worth having comes without effort, there are opportunities out there if you make them. Honesty is the best policy and life is very like a game of cricket.

There are, of course, some more contemporary lines than that. Dame Stella Rimington informed the girls of St Felix School last Saturday that "nothing worth knowing can be taught", and offered the cautionary tale of one of her predecessors at MI5 who was so worried about his need to be anonymous that he went everywhere in dark glasses, at the risk of bumping into furniture. He became quite famous for it, so defeating the object. Many guest speakers merely resort to a series of disparaging confessions about their own shortcomings: "You may wonder how a woman can have a job, a family and a life. Simple: never, under any circumstances do any housework, and spend no time whatever on your appearance." I generally get barracked afterwards by the home economics teacher and a careers mistress who has spent the whole term droning on at the Upper Sixth about the importance of dressing for success.

The whole nation got an end-of-term homily on Friday as the Archbishop of Canterbury sent the Lordships into a fit of morality and set the teachers sighing, as yet again the ills of society were dragged on to their doorsteps and dumped there by the archiepiscopal cat. Although he made good points about the danger of regarding God as a "private hobby", Dr Carey has tragically succumbed to the theory that a "daily collective act of worship" and a grounding in Christian theology is essential to teaching children "a clear sense of right and wrong".

I clutched my head. I thought we had got rid of all that stuff with John Patten, who also proposed religious education as a cheap sticking-plaster for social ills, and school prayers as a cure for ram-raiding. I favour teaching children about religion and spirituality, but I said then, and loudly say again, that supposing that RE will make them behave is as stupid as supposing that watching

football on television will make them fit. As for assembly, it only does any good if the school as a community has the simple (and quite possibly secular) virtues of mutual respect, fairness and gentleness. Otherwise it will just be a pompous bloke on a platform ordering you to love some invisible person called Jesus, or else.

The frustrating thing about these periodic crusades is that they are aimed so low. They turn the Christian heritage into a set of by-laws, the five commandments on stealing, killing, adultery, lying, and honouring your father and mother.

Left-wing clerics may throw in the one about not coveting (which subverts our entire commercial and political structure); Sabbatarians add the fourth. But the great mystery of the first three, the command to worship the invisible and speak its name with reverence, remains a source of furtive clerical embarrassment.

Which leaves the way open for New Age loonies to fill the vacuum on one side, and on the other for atheists to bridle and say: "Look, this is insulting. We don't need the threat of Hell and the promise of Heaven to make us behave decently, thank you very much." The fact that this is a complete misunderstanding of Christianity is not their fault: Christians are bad at explaining. I have much sympathy with these honest humanists, because I too hope that, in the splendid old line, if it were to be proved tomorrow that there is no Christ, I would still want to live and die as if there were. There is, after all, nothing in the social instructions of Christianity which is what scientists would call "counter-intuitive". Kindness, honesty, faithfulness and a willingness to forgive are obviously good for human societies. Churchmen do right to identify themselves with these basic virtues, and to campaign for social justice when a materialist or cruel secular consensus strays from them. Where they are wrong is that they stop there, smugly content to be no more than social

cement. As Harold Macmillan once plaintively said, if you don't believe in God all you have to believe in is decency. Decency is very good. Better decent than indecent. But I don't think it's enough.

For good behaviour is only the baseline, the launching-pad, the *sine qua non*. The point at which Christianity takes off and begins to glow is when it does become counter-intuitive in worldly terms. There are some very disturbing, subversive, exciting instructions: sell all thou hast and give to the poor... turn the other cheek... Judge not, that ye be not judged... blessed are the meek... lay not up treasures upon earth... consider the lilies of the field... Mary has chosen the better part... render unto Caesar... These are not lines that any cleric would dare preach in the leav-

ers' sermon; they sit too uneasily in a society convinced that decent people are those who own property and are constantly busy; they sound odd in a time when every group bristles with awareness of its "rights" and is determined to stand on them and sue for compensation at the slightest, even accidental, tap to its cheek.

They sit uneasily, too, with the tough landlording policies over the years of the Church Commissioners; with the arrogant obduracy of the dean and sub-dean of Lincoln Cathedral as they stand on their rights and give not a damn — sorry, blessing — for the scandal they cause; with the fact that more and more clergymen are joining a trade union and speaking (without a blush) of their "job security" and "career structures". Aren't those things Caesar's department? And is it not comically absurd, too, when people eminently in secular life are automatically referred to by the media as if they were somehow senior in religion? Lord St John of Fawcley is forever being called a "leading Catholic" just because he used to be a Cabinet minister, as if the Cabinet conferred holiness. When John Gummer and Ann Widdecombe changed

their allegiance, there was talk of "example", as if whole sects of devoted Gummerites and Widdecombeans were poised to defect in their theological footsteps. As for the present craze for writing profiles of high-society Catholics as a chic new trend — well, pass the sick-bag.

The ultimate absurdity came in the Lords debate, with speakers who deplored the poverty of clergy not because it is unkind but because "these days, people don't listen to paupers", and with Lord Morris's distaste for priests having to drive around in "old bangers". What on earth happened to the ragged figure with the burning eyes, crying the name of the Lord in the wilderness? Where are the hermits in their cells, dispensing kindness: the joyful followers of St Francis, who must "carry nothing for the journey, neither a knapsack nor a purse, nor bread, nor money, and whatever house they enter let them first say 'peace to this house'." These days, we would have the dogs on them as a rabble of New Age travellers. Where have the extreme Christians gone?

When they do appear, we are rattled. Mother Teresa of Calcutta dismayed her followers in Britain by forbidding them to raise funds, because money was not the point (the ones I know surreptitiously went on raising money to send her hospital supplies). Questioned by a reporter who accused her of being publicity-hungry — "or else why are you doing this interview?" — the nun radiantly replied: "To help you, because you asked me." This unorthodox attitude, coupled with her perfectly Christian belief that there is actual value in suffering and poverty, enraged critics like Christopher Hitchens into blistering attacks on her; it cannot help their blood pressure to know that if she truly is all she seems and only God can know. Mother Teresa will have forgiven them instantly and rejoiced in the opportunities for holiness offered by this humiliation.

Christianity is not sensible: it marches to a different drum. It gives others their dues, but does not stand on its own dignity. It believes that to be reviled and persecuted is a blessing, and that the only joy lies in the perfect unrequited love of God and your neighbour. That is the glory of it. But, like socialism, it has rarely been tried.

Libby Purves

Clinton, jobs and Keynes

Anatole Kaletsky explains the American miracle

Last Friday the American Government announced that unemployment in America had fallen to 5.3 per cent, its lowest level since the peak of the 1980s boom. Despite the seemingly unemployable underclass, the United States now has a far higher proportion of its population in gainful employment than any other G7 country, as well as being the only major industrial country which can boast that more of its people have jobs today than had in the golden age of Keynesian economics, 30 years ago. And despite the "downsizing" of its great corporations, America has created over 10 million new jobs since Bill Clinton became President in 1992.

Mr Clinton is not shy of claiming credit for the economic miracle: "We have the most solid American economy in a generation," he declared after the job figures came out. "We promised to take the economic challenges head on. Our critics said it wouldn't work. Today's news once again proved them wrong."

The ideological Right has long seen America, even under the Democrats, as a bastion of free-market values. But Clintonomics now also has an appeal to new Labour. Peter Riddell explained on this page yesterday why Labour has been fired up by Mr Clinton's successes: "The architects of President Clinton's economic policies stress social benefits, work incentives and skills training, which Mr Brown views as more important than traditional debates about the level of the exchange rate." Before they get carried away, though, fans of the fashionable American model should consider what, and who, has really been responsible for this exemplary record of job creation and growth.

Why is America now doing as well as it was in the 1960s, while Europe is languishing in its worst depression since 1945? Desirable though Mr Clinton's training programmes may be for social reasons, they could hardly have transformed the skills of the workforce in four years. So is America's miracle caused, on the contrary, by low taxes and deregulated markets? If that were the case, America would now be slowing down relative to Europe, as the Democrats raise taxes and impose more regulations, rather than racing further ahead.

Experience shows that governments can do little to accelerate the growth of an economy through so-called "supply-side" measures. Capitalism can adapt to all kinds of different social and regulatory conditions, but such evolution takes decades or even generations. What governments can do is *reduce* a market economy's natural propensity for investment, job creation and growth. One way of stunting the economy is obviously with the excessive taxes and regulations denounced by the Right. But another sure way to do damage is by mismanaging the growth of demand — and it is in demand management, rather than supply-side policy, that the real contrast between America and Europe is now found.

The main credit for America's economic success in the 1990s should go not to Mr Clinton or his White House advisers, but to Alan Greenspan, the chairman of the Federal Reserve Board, who has achieved something that was widely dismissed as impossible a few years ago: he has revived the art of economic fine-tuning, which seemed to have been lost after the global inflationary crises of the 1970s.

Since he arrived at the Fed in 1987, Mr Greenspan has used dozens of quarter-point corrections to interest rates to manage demand in the economy with remarkable precision, and has maintained low inflation and high employment. Even his one serious blunder — his failure to calibrate monetary policy to offset the depressing impact of the Gulf War — created only the briefest and least damaging of recessions, though it was bad enough to help lose George Bush the presidency.

Since 1992, Mr Greenspan has kept the economy on the narrow path between inflation and unemployment, consistently astonishing the financial markets, and especially young economic analysts with no personal experience of the long-term stability and rapid growth of the 1950s and 1960s. As a result, Wall Street keeps swinging comically from fears about recession to panic about inflation. The latest such lurch came after the employment figures last week, but Mr Greenspan and his colleagues at the Fed remain unperturbed.

In Europe, meanwhile, interest rates have been set by the whims of financial markets and the Bundesbank's monetarist dogma that the sole job of a central bank is to keep inflation under control. As a result, Europe has lurched from recession to inflation and back again. This points to the true lesson of the American economic experience. Mr Clinton's performance has been to appoint the Fed a group of able and pragmatic economists of contrasting theoretical persuasions who have one thing in common. They all understand that governments and central banks must do more than control inflation; to allow full employment and adequate economic growth, they must also try to manage demand.

Elan, Alan?

AN AIR of despondency is settling over Saltwood Castle in Kent, the fortified home of Alan Clark, distinguished military historian, ageing newspaper columnist and once and would-be MP. Yet another constituency has rejected the 68-year-old diarist as its Tory candidate.

After he fell recently at the third round in the Kensington and Chelsea selection process, Clark's modest curriculum vitae plopped onto the mat of the North Dorset Conservative Association. Prominently displayed are words from the *Daily Mail* columnist Linda Lee-Potter: "Any constituency selection committee should approach him immediately. Because the Tories are desperately going to need politicians with style, boldness and elan."

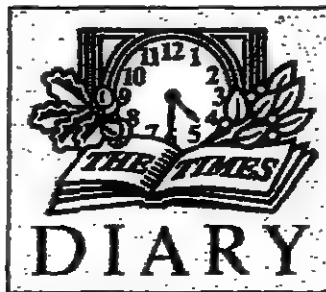
He lists his pros (experience, happy family, lack of sleaze) as well as his cons (age, "colourful" past private life, reputation for "reckless candour"). But sadly the officials have decided that the man who wrote in his diary of the "vast area" of neighbouring MP Janet Fookes, of being drunk at the dispatch box and of the ghastly tedium of constituency work is not for

them. "He is no longer being considered at this stage," remarked a po-faced officer.

Clark refuses, however, to be defeated. "I don't think I am a has-been," he said. "I shall put in for Hove and for Tunbridge Wells."

● Extraordinary developments at Madame Tussaud's. The hair on the waxwork of Adolf Hitler is growing, according to the make-up

girls who inspect the figures. "We know it can't be true, but they swear it has grown by at least a few millimetres," says Madame, "and the model's behind glass so nobody can tamper with it."



girls who inspect the figures. "We know it can't be true, but they swear it has grown by at least a few millimetres," says Madame, "and the model's behind glass so nobody can tamper with it."

Exposes

ADVICE for the Wimbledon streaker from Erika Roe, whose topless run at Twickenham in 1982 set the standard in exhibitionism: "Rugger fields are more fun." Bothycolpian Erika watched on television in her home in Portugal as Melissa Johnson skydived, naked but for a pinnie, on Centre Court. "I'd like to meet her for a beer and I'd tell her to try Cardiff Arms Park next," she said. "Wimbledon crowds are a stuffy, strawberry-munching lot; it wouldn't inspire me to streak. But Melissa

chose a good moment; she caught the boys' attention. She should get an agent." I'm told that Kodak is already talking TV commercials. Slogan, "Maximum exposure".

Import export

VIRGINIA BOTTOMLEY'S decision to refuse an export licence for the St Thomas à Becket caslet may not unduly concern the man who is said to have bought it, the Canadian millionaire David Thomson, son of Lord Thomson of Fleet. He has made a tidy profit out of export licences before.

In 1986, Thomson, who owns some 100 works by Constable, bought the Middleham Jewel, the most important piece of medieval jewellery ever found in England. He paid £1.4 million at auction. He applied to export it in 1991, by which time he claimed the value had increased to £3 million, and a restriction order was imposed. The Government brought in independent valuers, raised some cash, and Thomson agreed to sell the jewel to the country for £25 million, a profit of £1.1 million.

● Ken Livingstone has always had a Fink-Nottleish admiration for the new, but his portfolio has now been broadened. He has just accepted a position as patron of



Durand's vision of the Princes. Now it's Charles's turn to giggle

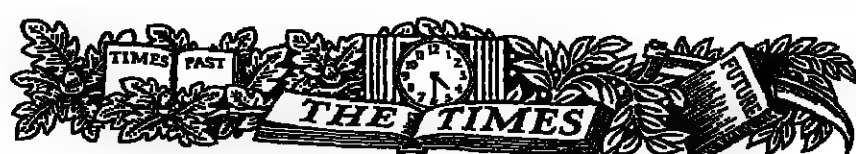
Hedgehog Care Sanctuary, which cares for sick and orphaned hedgehogs. His garden is already bristling with several rehabilitated hogs, many of them amputees.

Brushing up

FURTHER indignity has befallen the Royal Family. André Durand, portrait painter extraordinaire, whose dashing depiction of the Prince of Wales and his young sons astride a snorting steed had art critics dropping their canapés, has taken up his brushes again.

The victim this time is the Princess of Wales, portrayed as a noblewoman from ancient Sparta. She stands on a crystal sphere in a wind-tossed sea: "She is standing full length with the wind blowing in her hair and wearing a short lilac tunic, fluttering in the breeze," Durand says. "The crystal ball stands for fortune. Make of that what you will." Inspiration came from a painting of a Spartan girl in 500 BC. "They both look so wonderfully toned and fit," he ventures.

P.H.S.



MANDELA'S MISSION

South Africa is a good bet for British business

Few official visits by a head of state have attracted the interest that will be evident when President Nelson Mandela begins his tour today. From Buckingham Palace to Brixton market, this will be an unusual diplomatic exercise. While much of what is planned is a reflection of Mr Mandela's unique and inspiring story, the whole range of shared interests that connect this country with South Africa will be on display.

Mr Mandela will doubtless be courteous about the many compliments that will be paid this week. He has come, however, to attract commerce, not compliments. Between all the colourful festivities will be a hard-headed hard-sell. The President is accompanied by a delegation of more than one hundred industrialists. He will hold talks at the Bank of England and attend a one-day conference on inward investment to his country sponsored by the Confederation of British Industry. This effort is encouraged by the existing range of economic ties. Britain is the single largest investor in South Africa. Mr Mandela would like this role extended further.

Contracts should be taken on cool analysis rather than any short-term sentiment generated by this trip. But how exactly such evaluation should be drawn has produced diverse interpretations, a debate which has been seen across our pages in recent days. The variation in comment reflects an uncertainty over how and with what the country should be compared.

South Africa is both First World and Third World: the former in much of its capitalist structure, the latter in terms of the income-levels of its rural poor. The sanguine judge it by the standards of the Organisation for Economic Co-operation and Development (OECD) and note many areas — crime, education, and infrastructure — where improvements are urgent. Others, using the yardstick of the Organisation for

African Unity (OAU), claim that South Africa is already a shining example.

There is a similar diversity in discussion on Mr Mandela personally. While all agree that he is extraordinarily popular, there is dissent over how well he has invested his political capital. R. W. Johnson, writing here yesterday, was concerned about a certain conservatism caused by Mr Mandela's commitment to national reconciliation. Denis Worrall, in *The Times* today, implies that it is precisely this devotion to multiracial relations that is the necessary platform for future radical reform.

It would be highly uncharitable not to acknowledge the striking progress that South Africa has made. The ANC inherited an economy, distorted by the apartheid era, that was oddly socialist in many of its aspects. The new Government of National Unity started with a somewhat starry-eyed commitment to state spending embodied in the Reconstruction and Development Plan. Two years on, the agenda is rather different and more realistic.

Policy is devoted to internal fiscal stability and international investment opinion. Last month the Johannesburg stock exchange, the tenth largest globally by market capitalisation, was substantially deregulated. The Government's new statement of economic objectives backed lower tariffs and eased exchange controls. Privatisation, while overdue, is at least now being discussed in terms of practical execution rather than principle. Tentative steps towards contentious but crucial labour market reforms are now being undertaken.

Mr Mandela is entitled to a good hearing from British business this week — not out of nostalgia or charity but because the risks merit it. Britain's already entrenched status in South Africa is to the intense benefit of this country. Additional links would be most welcome.

AIR WARS

Customers are better served by competition than combination

Tomorrow the House of Commons' Select Committee on Transport will hear evidence from adversaries in what promises to be one of the more epic battles of the skies. British Airways' all-but-merger with American Airlines is already being investigated by the Office of Fair Trading and the European Commission. The US Justice Department yesterday demanded from Virgin Atlantic all its papers on BA's alleged anti-competitive practices. This show could go on and on.

MPs will hear diametrically opposed evidence from BA and Virgin. The national carrier will claim that, if the link-up is allowed, fares will fall, the skies will open to competition, not precipitation, and consumers will benefit from a streamlined service. Virgin will argue that BA's monopoly position will be strengthened, competition will be stifled and the passengers will suffer. Which is right?

British Airways, in combination with American, would have a transatlantic share of more than 60 per cent, with 94 per cent of flights to Chicago and 100 per cent of flights to Dallas. Although the alliance would save its partners money on ticketing and baggage-handling, would those savings be passed on to passengers? The strength of BA's share price suggests some doubt about that. So does evidence from other airline alliances: the link formed in 1993 between KLM Royal Dutch Airlines and Northwest Airlines has brought fare rises between Detroit and Amsterdam, their primary hubs, of nearly 40 per cent in two years.

British Airways has improved its services enormously since privatisation. But it cannot claim to have a pure record in its dealings with competitors. Virgin has pro-

duced a mass of persuasive evidence showing the "dirty tricks" that British Airways has used to entice passengers on to its planes. If it shared its business with American, it would be able to offer more inducements to corporate customers to favour BA/American over other airlines.

Claims that this code-sharing would be in passengers' interests are further undermined by their opposition to other airlines' similar tie-ups in the past. Robert Crandall, American's chairman, described code-sharing last year as "profoundly anti-competitive". He went on: "When airlines team up and code-share, they are able, by means of pretending to be a single carrier, to force other, non-combined carriers out of a market. When this happens... consumers lose all the many benefits of competition." Robert Ayling, meanwhile, BA's chief executive, opposed Lufthansa's similar partnership with United on the ground that it would reduce competition.

BA is likely to offer the US Justice Department "open skies" over Britain in return for this merger being allowed to go ahead. But allowing more American airlines to fly to this country is no use unless they are also given landing slots at Heathrow. Thirty-eight per cent of these are in BA's hands and are unlikely to be relinquished.

The threat of a pilots' strike on all British Airways flights next week should concentrate the minds of those who claim that the proposed merger would be in consumers' interests. Imagine if more than half the transatlantic flights were grounded by such action. Virgin has every reason to complain: passengers are best served by competition, not cartels.

BRING BACON HOME

The art world continues to neglect our native genius

When Francis Bacon died four years ago the obituaries were unanimous. Here was a painter of towering individuality, one of the greatest that this country has ever produced. Since then, interest in his harrowing but mesmerising canvases has, if anything, increased: witness the extraordinary excitement, and the passion of the subsequent critical debate, over the discovery in February of a supposed early self-portrait by the artist.

So it is disappointing, to say the least, that Paris rather than London should have seized the initiative and mounted the first large-scale retrospective of Bacon's work since his death. As our chief art critic reports today, the show curated by the art historian David Sylvester at the Pompidou Centre is an immensely powerful survey of 95 of Bacon's greatest works. They have been borrowed from collections around the world (including several from the Tate in London), and range across the whole of Bacon's dark and lonely adult existence — from an extraordinary Crucifixion, painted when he was 24, to the sequence of grieving triptychs that he created late in life.

This remarkable show remains in Paris until October; then it travels to Munich. Britain will not have it. Britons must either travel abroad or make do with a small complementary exhibition in Norwich of Bacon portraits from the Sainsbury collection. Though welcome and useful, it scarcely counts as an alternative.

Bacon's reputation remains high on the

Continent; that should be a matter of pride in this country. We have sat back and allowed other nations to take the lead in celebrating his genius; that should be a cause of regret.

When the Vermeer exhibition was seen in Holland but not in Britain, and the Matisse exhibition was put on show in Paris but not in London, we could at least offer ourselves the consolation that these artists were being displayed in countries from which they drew inspiration. But Bacon was a Londoner through and through, as closely associated with the *demi-monde* of Soho as Toulouse-Lautrec was with Montmartre or Cézanne with Provence.

London's galleries may argue that only 11 years have passed since the Tate mounted a magnificent show of 124 Bacons. They may also point to plans to put Bacon's triptychs on show at the Hayward Gallery. But when the foremost British painter of the century dies, those who lead our artistic life have a special duty to mark his achievement in a fitting and monumental manner. They have signally failed to do that here, and British exhibition-goers are the losers.

Coming so soon after the luke-warm and tardy attempt to keep the Becket casket in Britain, this latest instance of art-institution apathy is unwelcome. To lose one superb piece of national heritage in a month may be regarded as a misfortune. To be beaten into third place when it comes to celebrating a modern British genius suggests that a sharp wake-up call is needed.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Dr Carey's views on dangers of moral relativism

From Mr D. A. Cameron

Sir, Congratulations to the Archbishop of Canterbury for (at long last) giving us some positive and sorely-needed advice and guidance on moral matters (report, July 6). Any step in the right direction is welcome.

By contrast, Simon Jenkins's sarcastic banter ("No more feel-smug factor", July 6) makes scarcely a single constructive suggestion. All that is necessary for the triumph of evil is that good men do nothing.

Yours faithfully,
D. A. CAMERON,
Little Buckstep, Dallington,
Heathfield, East Sussex.
July 6.

From Mr Nicholas Paget-Brown

Sir, It is ridiculous for Simon Jenkins to claim that "values are moral choices, to be made by free citizens, after due debate". No civilised society can function without universal acceptance that stealing, killing and cheating is wrong.

The average hooligan does not sit around reviewing his moral options — he considers the likelihood of being caught and the potential severity of any punishment he will receive. The efforts of some commentators to sustain the view that moral values are a matter for the individual and that legitimate authority should be constantly challenged are well overdue for rebuff.

The Archbishop's speech will provide some reassurance for those frightened citizens who know evil when they see it but who have had to pay the price for allowing sections of the chattering classes the privilege of deciding that good and bad are no more than matters of opinion.

Yours sincerely,
NICHOLAS PAGET-BROWN,
Flat 4, 35 Hollywood Road, SW10.
July 6.

From the Principal of Emmanuel College, Gateshead

Sir, I welcome Dr Carey's speech. The Judeo-Christian framework of morality is a highly positive one both for the individual and society. Of course it cannot be imposed. It can, however, be presented positively and argued for.

A school with a clear spiritual and moral ethos and which distinguishes right from wrong has an influence well beyond itself. Such schools are valued by parents and are often oversubscribed.

My concern is that many schools do not give this guidance, and settle for a relativistic and subjective substitute under the name of personal and social education. We fail our children if we

do not give them the opportunity to understand the reason for biblical morality as a proper basis for healthy living.

I would, however, urge Dr Carey to argue his case more persuasively within the Church itself. Too often the attempts of schools are undermined by the pronouncements of modernistic bishops or church working groups who seem to have absorbed the very relativism which Dr Carey so rightly attacks.

Yours faithfully,
J. BURN,
Principal, Emmanuel College,
Consett Road, Lobley Hill,
Gateshead, Tyne and Wear.
July 6.

From Professor L. D. Barron, FRSE

Sir, In his interesting article on morality ("Therapy instead of morality", July 5), Dr Jonathan Sacks, the Chief Rabbi, suggests that the moral values underpinning the Judeo-Christian tradition stand in radical opposition to today's scientific-therapeutic culture, which seeks to eliminate morality from public discourse. I cannot speak for therapy, but I can say that the discussion of morality certainly falls within the realm of science.

Science views human beings as part of the natural world, with their physical and behavioural development controlled by the laws of biology no less than that of fruit flies. The traditions, feelings, scruples and reluctances which underpin morality in general, and breeding rules in particular, are behavioural attributes acquired under the intense pressures of Darwinian natural selection over tens of thousands of years of human social development.

Societies subscribing to what we call moral behaviour have enjoyed a tremendous selective advantage of competition with more barbaric and promiscuous societies. This reveals a scientific basis for the importance of religion in the development of advanced societies: indeed, in his book *The Evolution of Man and Society* (Allen & Unwin, 1969), C. D. Darlington makes a compelling case for the crucial role played by the moral code carried within Judaism and Christianity in the rise of Western civilisation. Beneath its public face of belief and ritual, the hidden agenda of religion is survival.

The decline in morality that our religious leaders and others are now debating appears to be due in part to the prosperity and stability of the modern industrial world, in which breeding rules designed to preserve the primacy of the family are no longer essential for the survival of large populations, even though individuals brought up in a traditional family are

still likely to be more successful.

The pressures of natural selection will determine whether or not morality can reassert itself in future generations.

Yours sincerely,
L. D. BARRON,
31 Newtonlea Avenue,
Newton Mearns, Glasgow,
July 7.

From Mr J. W. G. Wilson

Sir, Practical morality is a question for the law, an efficient police force and a swift judiciary. Teaching theoretical morality outside the home and church is a waste of public resources.

Yours faithfully,
J. W. G. WILSON,
Anchor Cottage,
Turnchapel, Plymouth, Devon.
July 6.

From the Reverend Father Francis A. C. S. Bown

Sir, The Archbishop of Canterbury chose to launch his call for moral education in the Lords, which is unique among the parliamentary chambers of democratic states in still having a body of members present by virtue of a prescriptive right enjoyed by their religion.

The position of the 26 Lords Spiritual gives the Church of England the opportunity to exercise significant influence over the moral tone and content of our laws. Sadly, this opportunity is seldom used to effect.

Most Christians in this country would agree that two aspects of the moral crisis in our nation require urgent attention: the undermining of the institution of marriage and the lack of respect for human life.

Will Dr Carey therefore now lead his episcopal colleagues in the House of Lords in a disciplined and determined campaign to reverse the laws on easy divorce and abortion? Such determined action would be far more beneficial for our moral health than the occasional pious exhortation.

Yours in Dho,
FRANCIS BOWN,
St Stephen's Presbytery,
29 Westbourne Avenue,
Kingston-upon-Hull, Yorkshire.
July 6.

From Mr M. C. Spencer

Sir, If a daily act of worship is so good for the morals of schoolchildren, why doesn't it work for Members of Parliament?

Yours etc,
M. C. SPENCER,
123 High Street,
Leiston, Suffolk.
July 7.

planning the policy to colleagues with known defence interests. They have responded to suggestions positively and have made two changes to the initial policy in order to meet our major concerns (adding the ministerial veto to the 25-year development option and making equivalent employment opportunities for families one of the criteria for any site exchange (report, later editions, July 2)).

I now believe it would be absolutely detrimental to the interests of service families to block this sale. Not only would the additional £100 million for refurbishing homes be lost, but resources would continue to be wasted on the upkeep of unwanted properties which the MoD has so far been unable to shift.

Yours faithfully,
JAMES SPICER,
House of Commons.

MoD property sale

From Sir James Spicer, MP for Dorset West (Conservative)

Sir, I write as a former regular soldier with a keen interest in every aspect of defence, including of course the morale of our servicemen and their families. Against that background, I was pleased to see some sense being talked about the sale of married quarters (leading article, July 2).

The sale of married quarters was bound to be questioned by service families and I, with others, spoke to ministers at the MoD about our main concern, which was that the interests of servicemen and women should be properly protected. I am entirely satisfied that they are now and will be in the future.

Michael Portillo and James Arbuthnot have spent a great deal of time ex-

Labour's driving plan

From the Shadow Minister for Transport

Sir, What is perhaps surprising about the article, "Where eight-year-olds get L-plates" (Car 96, June 29), supporting driver training for children as young as ten, is not that children this young are being put behind the wheel of a large car, but that we leave all formal transport and driver education until people reach 17. The education is then crammed into a few months before the test, after which the driver is declared fully qualified.

The next Labour government will end the status of the test as a simple rite of passage, ensuring that people are capable of driving safely before they are allowed on to the road. The Government has finally introduced a theory test (report, July 2), yet unbelievably has no plans to monitor its effect on road safety. It is vital to assess these effects if changes are to be made.

Education can provide both long-term and short-term improvements to road safety. We will seek to do this through a more rigorous driving and road-use education both in and out of the classroom.

Labour will endeavour, under environmental education, to encourage children to consider when it is appropriate to use different modes of transport from rail to buses, cycles to cars. They should learn the wider consequences of their choices as they affect the environment and other road users.

Similarly, the dangers of speed, of driving in poor weather or in polluted urban areas need to be addressed.

Yours sincerely,
GRAHAM ALLEN,
House of Commons.
July 2.

Judges' training

From Mr Derek A. Hill

Sir, In your report, "Judges get lessons in gender awareness" (later editions, June 21), you referred to courses in human awareness run by the Judicial Studies Board. These formed only part of our regular programme of residential courses for circuit judges, recorders, assistant recorders, district judges and stipendiary magistrates, which cover many other subjects.

decisions have yet been taken. The term "human awareness" — as used within the JSB — covers not only "victims of assault and homosexuality", but also how judges should deal with children, litigants in person, the disabled and women.

Yours faithfully,
DEREK A. HILL,
(Secretary),
Judicial Studies Board,
14 Little St James's Street, SW1.
July 4.

Business letters, page 29

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

Bringing to light a stammerer's pain

From Ms Clare Latimer

Sir, How very refreshing to see Jonathan Miller's interview (Body and Mind, July 4) about his stammer. Word for word it is how I have come to live with mine, even down to going to speech therapists at about the same stages and the extraordinary fact of not stammering in America.

One thing has improved for us. Life has become much simpler now that we have supermarkets, ticket machines and fax machines — and I personally have worked my way up to having staff to make my phone calls.

It is important for non-stammerers to know how hard it is for an infrequent stammerer to admit to one: when my mother sent me, aged about twelve, to buy some butter, I came back with margarine because it was easier to say.

I was given the correct fare to go to school each day on the tube, from Belzard Park to Warren Street and back, but always had to beg for more, saying I had spent the extra on Tonenham Court Road and Hampstead as B8 and W8 were out of the question. As a result of this odd behaviour I was nearly sent to school for problem children.

In my first job, with a theatrical agent, I had to answer the phone during the lunch hour. When I told my boss someone was on the line but I had not caught the name, she told me to ask again, but again I could not tell her it was Daddysdale Lenden. The final straw was when I became engaged and was asked my fiancé's name: I could only say I could not remember.

It was because of all these traumas that I decided to become a cook, as I could hide in the background and stay out of the limelight. Although infrequent stammerers can normally hide their impediment, people often think we are a bit loopy because of the ways we get round it. We are not.

Yours sincerely,
CLARE LATIMER,
Clare's Kitchen Ltd,
41 Chalot Road, Primrose Hill, NW1.
July 4.

Singing in the rain

From the Reverend Peter Smith

Sir, Your feature, "To sing or not to sing?" (July 5), takes Sir Cliff Richard to task for attempting to cheer up the Centre Court crowd at Wimbledon on a dull, wet, disappointing day.

Anyone who had waited for hours in order to watch some top-class tennis and then had the weather conspire to disrupt the day's play, would clearly stand in need of cheering up. This is what Sir Cliff, his all-star back-up group and his lovely leading lady did, not just for the crowd on the Centre Court but millions of others who were watching on television.

Public singing is not, as Joe Joseph would have us believe, a humiliation. It is a sign of a willing and cheerful spirit.

Let us hope that Sir Cliff will keep on popping up whenever people need cheering up and that we will learn to overcome our inhibitions, to relax and to enjoy ourselves.

Yours faithfully,
PETER SMITH,
The Paragon,
Berwick, Polesgate, East Sussex.
July 5.

From Mr R. M. Gardner

Sir, It is a sad day when the trench spirit and musical ability of "a man you can count on in a crisis" is derided as unwelcome intrusion. Wimbledon is not about sour grapes but talent and endeavour — Sir Cliff brought us some strawberries and cream to lighten a rainy afternoon and it was handsomely done.

Yours faithfully,
ROGER GARDNER,
Oak Tree Cottage, Hookley Lane,
Elstead, nr Godalming, Surrey.
July 5.

Oh mistress mine!

From Mr Brian Locke

Sir, Re Mr Page's letter (July 4): Mrs Mary Locke, head of English at Queen Anne's [girls'] School in York, has been transferred to Archbishop Holgate's school to be Head of English. She will be addressed by boys as "Sir", and referred to by all as "Lady Master".

My mother found this notice, signed by the Headmaster, in the masters' common room, on her arrival at Archbishop Holgate's early in the war.

Yours faithfully,
BRIAN LOCKE,
Cadogan Grange,
Bisley, Stroud, Gloucestershire.
July 4.

Handsome is...

From Mr Peter G. RASHBROOK

Sir, Mr Tim Daw suggests (letter, July 8) that beauty can be measured in millihelens (one being the amount needed to launch one ship). Ugliness, therefore, in all its forms, might be measured in milligrams: one milligram being sufficient to sink one ship.

Yours faithfully,
PETER G. RASHBROOK,
5 Curmarrhen Street,
Llandeilo, Carmarthenshire.
July 8.

[illegible]

Queen's Bench Division

Power to hear admiralty claim

Centro Latino Americano de Comercio Exterior SA v Owners of the ship Kommunar (No 1)
Before Mr Justice Clarke
(Judgment April 3)

A claim for repayment of sums paid to sub-agents who had supplied goods to a ship from the owner of that ship came within section 20(2)(m) of the Supreme Court Act 1981 so that the Admiralty Court had jurisdiction to entertain such a claim.

Mr Justice Clarke so stated in the Admiralty Court in a reserved judgment given in chambers and released with the permission of the judge when dismissing the defendants' application to set aside the plaintiff's claim for want of jurisdiction.

The plaintiffs, Centro Latino Americano de Comercio Exterior, had paid invoices addressed to the vessel and its owners which were presented by sub-agents in respect of items supplied to the ship. The plaintiffs then sought to recover the amount they paid in respect of those invoices from the defendants. The defendants applied for the proceedings to be set aside because the claim did not fall within section

20(2) of the 1981 Act nor did it arise in relation to any particular ship. Section 20 of the 1981 Act provides: "(1) The Admiralty jurisdiction of the High Court shall be as follows, that is to say: (a) jurisdiction to hear and determine any of the questions and claims mentioned in subsection (2); ... (m) any claim in respect of goods or materials supplied to a ship for her operation or maintenance."

Mr David Steel, QC, for the plaintiffs, Miss Elizabeth Birch for the shipowners.

MR JUSTICE CLARKE said that the question was whether the plaintiffs' claims were claims in respect of goods or materials supplied to the ships for their operation or maintenance.

In his Lordship's judgment, in one sense at least, plainly they were. They were claims to be repaid sums which the plaintiffs had paid to the sub-agents who had supplied the goods. However, it was necessary to have regard to the nature of the alleged contract and to the nature of the plaintiffs' business.

It was correct that the plaintiffs were financiers. However, it did

not appear to follow from that that they were unable to bring their claim within paragraph (m) of section 20(2) of the 1981 Act. It was clear from the agreement that the arrangement was that the plaintiffs would appoint sub-agents in South America for the purpose of supplying goods and services to the defendants' ships and that it was the plaintiffs' responsibility to pay invoices rendered to them by the sub-agents.

In principle that was exactly what, on the plaintiffs' claim, assuming it to be correct, had happened. The sub-agents had paid the invoices for the supply of the materials and the plaintiffs had reimbursed them.

If the matter were free from authority his Lordship would hold that the claim fell within paragraph (m). Moreover, he would hold even if there were evidence that the plaintiffs had been paid on account against the invoices.

The mere fact that the claim was a claim on a general account did not by itself lead to the conclusion that the claim was not a claim in respect of goods or materials supplied to a ship, provided that the claim could be properly so regarded.

The matter was free from bind-

ing authority. There had been a number of cases decided on the statute which related to necessities. Miss Birch had submitted that they showed that where the plaintiffs' claim was a claim on a general account, it was outside the admiralty jurisdiction of the court.

His Lordship doubted whether that was so under the cases decided under the old statute. It was certainly not so today. None of the cases bound the court to hold that the facts of the present case fell outside section 20(2) of the 1981 Act.

The words "in respect of" were wide words which should not be unduly restricted.

His Lordship was unable to accept the submission that the claim did not arise "in connection with" any particular ship within section 21(4) of the 1981 Act.

It was clear from the schedule annexed to the statement of claim and from the invoices that each of the claims did arise in connection with a ship. The claims did not arise in connection with the same ship, but that appeared to be immaterial.

Solicitors: Clyde & Co; Lawrence Graham.

Siloott v Commissioner of Police of the Metropolis
Before Lord Justice Neill, Lord Justice Simon Brown and Lord Justice Waite
(Judgment May 24)

A person whose conviction for a crime was subsequently quashed on appeal was entitled to compensation under the Criminal Injuries Compensation Act 1968 if the conviction was the result of a conspiracy to pervert the course of justice and misfeasance in public office. The police officers investigating the crime who, he alleged, had created a false record of an incriminating interview with him, because the officers were protected by a rule of absolute immunity conferred as a matter of public policy.

The Court of Appeal so stated in dismissing an appeal by the plaintiff, Winston Siloott, from a judgment of the trial judge, Mr Justice Drake, dated April 12, 1995, in his appeal against a striking-out order made by Master Eynon on February 2, 1995.

The plaintiff had served a statement of claim on the defendant commissioner pleading three causes of action: (i) conspiracy to pervert the administration of justice; (ii) misfeasance in public office; and (iii) malicious prosecution. The first two had been struck out.

The plaintiff sought to have them reinstated, the advantage being that he would be spared the need to prove the absence of reasonable and probable cause to prosecute, one of the essential elements of the tort of malicious prosecution, but an element lacking from the other two causes of action.

On October 6, 1995 Police Constable Blacklock was killed during a riot on a housing estate in Tottenham in North London. The plaintiff was arrested by Detective Chief Superintendent Melvin for the murder. He was interviewed by DCS Melvin and Detective Inspector Dingle.

On March 19, 1987 the plaintiff was convicted at the Central Criminal Court of the murder and of riot. He was sentenced to life imprisonment and ten years imprisonment respectively.

The only witness against the plaintiff at the trial was DCS Melvin who produced notes made by DI Dingle of his interview. The notes contained admissions by the plaintiff of his guilt.

On July 25, 1991 the Home Secretary ordered an investigation of the way in which the interview had been conducted and the authenticity of the notes of the interview.

On October 1, 1991 the Home Secretary referred the convictions to the Court of Appeal, Criminal Division, under section 17 of the Criminal Appeal Act 1968. On November 15, 1991 that court

quashed the convictions on the basis that they were unsafe and unsound.

Lord Williams of Mostyn, QC and Mr Justice Simon Brown, QC and Mr Justice Waite, QC, for the plaintiff, Mr Robert Siloott, QC and Mr Duncan MacLeod for the commissioner.

LORD JUSTICE SIMON BROWN said that the plaintiff's pleaded case was, inter alia, (i) that the notes were a false record which had been created by the police officers investigating the crime who, he alleged, had created a false record of an incriminating interview with him, because the officers were protected by a rule of absolute immunity conferred as a matter of public policy.

His Lordship would emphasise two matters: first, that the plaintiff's case against the officers, who were acting under the control of the defendant commissioner, had not yet been tried; second, that the two officers had been charged with conspiracy to pervert the course of justice and with perjury, tried at the Central Criminal Court, and acquitted by unanimous jury verdict on each count.

The issue raised on appeal remained, as it was identified below, "whether the alleged actions of the police officers are protected from any civil action for conspiracy to pervert the course of justice or misfeasance in a public office by reason of a cloak of absolute immunity conferred as a matter of public policy."

Lord Williams submitted that the instant case involved the creation of a false document, namely seven pages of manuscript notes purporting to be a contemporaneous record of an incriminating interview with the plaintiff, but in fact a forgery, sheer invention from first to last.

Such conduct, he argued, was not immune from suit merely

because the officers' own statements and testimony on the issue were prepared for the plaintiff's criminal prosecution.

That, he submitted, was coincidental, just as the fact that oral evidence might be given by the prosecutor in a malicious prosecution case was incidental. He submitted that in fabricating evidence against the plaintiff, the officers were not "investigating crime" and thus could not benefit from the immunity rule.

Mr Seabrook submitted that the requirement in the tort of malicious prosecution to prove absence of reasonable and probable cause struck what had long been recognised as the right balance between the competing public interests at stake.

The same policy considerations as underlay the immunity rule in its most direct and obvious application, that is, where statements had been prepared for proceedings and evidence had then been given, to his Lordship's mind applied with equal force to the present situation. Protection must extend to the preparation of evidence equally as to its presentation.

His Lordship could see no difference in principle between a police officer fabricating a record of interview in writing, and the equivalent in times past, of a police officer "verbalising" an accused; nor between, say, an officer planting a brick or drug on an accused so that someone else would give truthful evidence of having found it, and an officer giving false evidence that he himself found such a brick or drug.

In his Lordship's judgment, the immunity covered all conduct that could fairly be said to be part of the investigatory and preparatory proceedings.

To Lord Williams' submission that there was no public interest in

protecting those who created false evidence or, for that matter, those who destroyed sound evidence, his Lordship would answer that that missed the essential point: the public interest was in the protection of those who might otherwise be falsely accused of such conduct.

That of course left the position: 1 That the assumed misfeasance was itself open to criminal prosecution whether for perjury or for perverting the course of justice, precisely the charges which faced the officers in the present case.

2 If the misfeasance was itself responsible for the criminal prosecution being brought, whether or not himself technically the prosecutor, he was vulnerable to a claim for malicious prosecution.

His Lordship acknowledged that, if the information provided by the misfeasance was not the determining factor in the decision to prosecute, so that he himself could not be sued for malicious prosecution, then the effect of the immunity rule was to deny the person aggrieved all civil remedy against him.

That, however, seemed to his Lordship less of an anomaly than would arise on the plaintiff's argument, namely that, wherever a misfeasance in public office, an action lay for misfeasance in a public office, and that, wherever there was alleged to be more than one misfeasance, a claim could be brought for conspiracy, in each case without the need for the plaintiff to prove absence of reasonable and probable cause, or for the plaintiff even to have been acquitted of the crime against him.

The judge was correct in his ruling and in the reasons he gave. Lord Justice Neill gave a concurring judgment and Lord Justice Waite agreed with both judgments.

Solicitors: Bindman & Partners; Solicitor, Metropolitan Police.

Continuity of legal personality destroyed

Centro Latino Americano de Comercio Exterior SA v Owners of the ship Kommunar (No 2)
Before Mr Justice Colman
(Judgment May 22)

The mere transfer of the assets and liabilities of an unincorporated Russian state enterprise to the new privatised company under Russian privatisation legislation was not sufficient to create continuity of legal personality.

Mr Justice Colman so held in the Queen's Bench Division when allowing an application by AOL, the owners of the ship Kommunar, for the arrest of the ship to be set aside. AOL were defendants to a second application before the court made by Centro Latino Americano de Comercio Exterior SA, the plaintiffs, for the arrestment and sale of the ship which had been arrested in Falmouth in November 1995.

The plaintiffs were a wholly owned subsidiary of a former Russian state enterprise providing local management organisation for Russian fishing vessels in Central and South America. They claimed reimbursement of sums paid to third parties for services provided to fishing vessels now owned by AOL.

The plaintiffs contended that at all times the services were provided by AOL, a Russian state owned enterprise, was in possession or control of the vessels and would have been

the person who would have been liable in respect of their claim. However, in 1993 AOL was privatised under Russian legislation which involved its being converted into a public joint stock company and renamed AOL.

AOL claimed, inter alia, that the court had no jurisdiction because for the purposes of section 21(4) of the Supreme Court Act 1981 it was not the same legal person as AOL and not therefore at the time the cause of action arose in possession or control of the vessels.

Mr David Steel, QC, and Ms Poonam Melwani for the plaintiffs; Ms Elizabeth Birch for the defendants.

MR JUSTICE COLMAN said that by section 21(4) the legal person who owned the vessel proceeded against had to be the same legal person as that who would have been liable on the claim in an action in personam and who when the cause of action arose was the owner or charterer of or in possession or in control of the ship.

Determination of whether AOL was the same legal entity as AOL had clearly to be made by reference to Russian law. His Lordship considered the Russian privatisation legislation, the conflicting evidence of the experts instructed by the plaintiffs and defendants and the indicia of continuity as a matter of general principle.

The privatisation regime set up

in 1992/1993 in the Russian Federation involved the conversion of state-owned enterprises which under Russian law had separate legal personality into registered corporations limited by shares in the course of which conversion part of the assets and liabilities of the enterprise could be stripped out. There were provisions for the transfer of property and property rights to the new company and for the new company to acquire the rights and obligations of a legal entity from the date of its registration.

At the moment of registration the new company was brought into existence as were its shares, the assets and liabilities of the enterprise were "taken over" by the new company and it became the "successor" to the rights and duties of the transformed enterprise.

The effect of the Russian legislation appeared to be to treat the joint stock company as a totally different entity to the state enterprise. While AOL was certainly expressly designated as the successor of AOL in relation to such assets and liabilities as had not been stripped out by the privatisation plan, its position as assignee or transferee under the law of the incorporation did not necessarily mean that it was the same legal entity.

That the legislation contemplated removal of some of the assets and liabilities indicated

something less than universal succession was contemplated.

The kind of entity created at the moment of registration differed so fundamentally from the kind of entity that existed up to that time that to describe them as the same juridical person would be entirely improbable.

True that there was no provision for dissolving AOL, but the nature of AOL was an unincorporated state enterprise and the effect of privatisation was to divest it of its whole substance. Although it had the attribute of separate legal personality up to the moment of registration in the absence of incorporation there would thereafter have been no residual substance to which legal personality could attach.

His Lordship rejected the contention that what had happened was analogous merely to a change of name in the absence of the express statutory provision as to continuity of the legal personality of the original entity, that ignored the fundamental difference in the legal nature of what privatisation had created.

Although there could be no doubt that there was legal succession of AOL to AOL's assets and liabilities there was nothing inconsistent between that and the discontinuity of legal personality.

Solicitors: Clyde & Co; Lawrence Graham.

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Solicitors: Clyde & Co; Lawrence Graham.

Judicial review is barred

Regina v Dacorum District Council and Another, Ex parte Cannon
Before Lord Justice Saville and Mr Justice Sachs
(Judgment May 17)

Section 64 of the Planning (Listed Buildings and Conservation Areas) Act 1968 absolutely barred proceedings for judicial review when the grounds for judicial review had been capable of being the basis of an appeal under the statutory provision in section 39 of that Act for appeal to the secretary of state.

The Queen's Bench Divisional Court so held in refusing the application of Richard Cannon for judicial review by way of certiorari to quash two enforcement notices issued against him by Dacorum

District Council in relation to work done on his hotel in Tring, Hertfordshire, and to quash the listing of the hotel.

Mr Christopher Katkowski for the secretary of state, Mr Paul Brown for the council, Mr Cannon in person.

LORD JUSTICE SAVILLE said that by section 64 of the 1968 Act enforcement notices should not "except by way of an appeal under section 39, be questioned in any proceedings..." Section 39 provided for appeal to the Secretary of State for National Heritage on any of 11 grounds set out in the section.

Mr Cannon, who argued his case with great moderation and skill, in the end accepted that the grounds he relied upon fell within section 39. He submitted that it

was only since his appeal under section 39 that he had been able to discover facts and matters which enabled him to advance most of his current arguments.

Assuming that those facts and matters would invalidate the enforcement notices for reasons that would be available in judicial review proceedings, the question remained whether section 64 nevertheless prevented Mr Cannon from seeking relief from the Divisional Court.

In his Lordship's judgment it did. It seemed that the authorities made it clear that provisions of that kind did have that effect. Mr Justice Sachs agreed.

Solicitors: Treasury Solicitor; Miss Amanda Walker, Hemel Hempstead.

Former resident is taxable on severance pay

Nichols v Gibson (Inspector of Taxes)
Before Lord Justice Leggatt, Lord Justice Morritt and Lord Justice Otton
(Judgment June 14)

A severance payment from an employer received by a former employee after he ceased to reside in the United Kingdom was chargeable to income tax under Schedule E.

Although the payment did not fall within any of the cases under which tax was charged by Schedule E, section 187 of the Income and Corporation Taxes Act 1970 operated to bring the payment within the charge.

The Court of Appeal so held in dismissing an appeal by the taxpayer, Mr Peter Nichols, from Sir John Vinelott (The Times December 12, 1994; [1994] STC 1029) who had upheld a determination by the general commissioners in respect of an assessment to Schedule E income tax for 1984-85.

Mr Stephen Brandon, QC, and Mr Robert Grierson for the taxpayer; Mr Timothy Brennan for the Crown.

LORD JUSTICE MORRITT, giving the judgment of the court,

said that the taxpayer was employed by R. W. Woolworth Ltd for 33 years until, in consequence of company reorganisation, his employment terminated on April 6, 1984. In order that he might take up new employment in Jamaica he was given leave of absence and left the United Kingdom on April 1, 1984.

For tax purposes the taxpayer was neither resident nor ordinarily resident in the United Kingdom between April 1, 1984 and April 13, 1985. On April 6, 1984, he was paid £60,308 as severance pay.

The question was whether the taxpayer was assessable to income tax under Schedule E for the year 1984-85 in respect of that sum.

The answer depended on the true construction of and interrelationship of sections 187 and 188 of the 1970 Act, which imposed the charge to tax under Schedule E, and section 187 which provided that severance pay, as defined in subsection (2), was to be charged to tax under Schedule E as though it were emoluments of the previous employment; see new sections 19 and 148 of the Income and Corporation Taxes Act 1988.

The problem was that liability to tax under section 187 depended on

the taxpayer being resident in the United Kingdom at the time of the receipt of the emoluments in question; section 187 contained no such condition.

As the taxpayer was not so resident his liability depended on whether section 187 was a charging section independent of section 181 in the sense that payments falling within its scope were liable to tax irrespective of whether they also came within one or other of the cases under which tax was charged by section 181.

Sir John Vinelott considered that section 187 was a charging section independent of section 181. He rejected the taxpayer's contention that section 187(4), in requiring the payment to be treated as an emolument of the past or present employment, must have been intended to do more than introduce the machinery of collection by the system of PAYE.

The judge considered that Warrent v Jones ([1980] 1 WLR 413) supported the Crown's case and he dismissed the appeal.

In submitting that the judge reached the wrong conclusion, the taxpayer relied on the provisions of section 187(4) requiring the payment to be treated as emoluments of the holder or past holder of the

office or employment assessable to tax under Schedule E, and on paragraph 1 of section 181(1) that "tax shall not be chargeable in respect of emoluments of an office or employment under any other paragraph of this Schedule".

The necessary result, it was submitted, was that a payment taxable under section 187 had also to satisfy the conditions of one or more of the cases of paragraph 1 of Schedule E.

In addition reliance was placed on the territoriality principle recognised in Colquhoun v Brooks ([1889] 14 AC 493) and on Mr Justice Slade in Warrent v Jones (at p415) that section 187 was "quite separate and independent".

Those submissions were unacceptable. The provisions of section 181(1) on which the taxpayer primarily relied did not exclude the possibility that other provisions of the Taxes Act might charge to tax payments which did not exhibit all the features required to subject such payments to tax as such emoluments under that paragraph. The judge was right in the conclusion to which he came and in his reasons for that conclusion.

Solicitors: Pulvers, Watford; Solicitor of Inland Revenue.

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